

**BOROUGH OF CARLISLE**  
**TRUTH AND RECONCILIATION COMMISSION**  
**BYLAWS**

Effective July \_\_\_\_, 2021

**ARTICLE I            NAME AND AUTHORITY**

The name of this organization is Borough of Carlisle Truth and Reconciliation Commission. Its principal office shall be located at Borough Hall, 53 W. South Street, Carlisle, PA 17013. Its authority is derived from Borough of Carlisle Resolution 03-11-2021-01. The Commission shall have all powers necessary to execute the duties set forth under the Resolution and as otherwise ~~indicated by official action by Council~~~~clearly articulated in a writing, resolution, or regulation of the Borough and the Carlisle Borough Council.~~ The Commission shall have the authority to act pursuant to the terms outlined in the Resolution and these Bylaws until December 31, 2022, unless and until Council determines by official action~~the Council determined in an official writing~~ that the work of the Commission should proceed beyond this date.

**ARTICLE II            PURPOSE AND FUNCTION**

The Commission shall:

- Examine and document policies, practices, and actions by the Borough and the Council that have contributed to racial inequity and systemic racism;
- Provide opportunities for individuals impacted and traumatized by systemic racism to share their stories and experiences, relating to policies, practices, and actions by the Borough and the Council;
- Facilitate conversations among and between community members from various ethnic, racial, socio-economic, and other backgrounds;
- Collaborate with existing businesses, institutions, nonprofits, agencies, boards, and commissions; and
- Identify, analyze, and recommend to the Council institutional and policy reforms meant to combat and mend the wounds caused by systemic racism.

**ARTICLE III            DEFINITIONS**

A. The following words and phrases shall have the following meaning:

BIPOC

Acronym describing individuals representing black, indigenous, and other personsof color.

Borough

Means the Borough of Carlisle, County of Cumberland, Commonwealth of Pennsylvania

Commission

Truth and Reconciliation Commission

Commissioners

Members of the Commission appointed by Borough Council. A Commissioner is also referred to as a member~~Also referred to as members~~

Council

Borough Council of the Borough of Carlisle

Discrimination

Any discriminatory act(s) taken by any person, employer, entity, employment agency, or labor organization, with respect to or involving a transaction related to employment or public accommodations, housing or commercial property on the basis of a person's actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness, or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression.

Discriminatory acts

All acts or actions defined in the Pennsylvania Human Relations Act as unlawful discriminatory practices as related to employment, public accommodations, publicly offered commercial property or housing accommodations on the basis of actual or perceived race, color, religious creed, ancestry, sex, national origin, handicap or use of guide or support animals because of blindness, deafness or physical handicap of the user or because the user is a handler or trainer of support or guide animals, or because of an individual's sexual orientation, gender identity or gender expression. The below rights are recognized as and declared to be civil rights, enforceable as set forth in Section 3 of the Pennsylvania Human Relations Act.

- (1) Employment – The opportunity for an individual to obtain employment for which he or she is qualified.
- (2) Public accommodation – The opportunity for an individual to access food, beverages, lodging, resort, or amusement which is open to, accepts, or solicits the patronage of the general public, but shall not include any accommodations that are in their nature distinctly private.
- (3) Commercial property or housing – The opportunity for an individual to obtain any commercial property or housing accommodation for which he or she is qualified.

### Gender identity or expression

Self-perception, or perception by others, as male, female, non-binary, or some other classification, including an individual's appearance, behavior, or physical characteristics, that may be in accord with, or opposed to, one's physical anatomy, chromosomal sex, or assigned sex at birth, and that shall include, but is not limited to, persons who are undergoing or who have completed sex reassignment, are transgender, or are gender-variant.

### Indigenous

The people considered native to North America, pre-dating the formation of the United States of America; also referred to as Native Americans.

### Person

Any natural person, fraternal, civic, or other membership organization, corporation, general or limited partnership, proprietorship, limited liability company, or similar business organization, including the Borough, its departments, boards and commissions, and any other for-profit and nonprofit organization.

### Resolution

Borough of Carlisle Truth and Reconciliation Resolution [No. 03-11-2021-01, as amended.](#)

### Sexual Orientation

Actual or perceived homosexuality, heterosexuality and/or bisexuality.

### Systemic Racism

Institutionalized racism that is embedded in the laws, regulations, structures, and social constructs of and within society, leading to instances of discrimination, microaggressions, disparate treatment, and loss of life in criminal justice, employment, housing, health care, political, educational, employment, and a myriad of other contexts.

- B. Any terms in the Resolution or in these Bylaws not expressly defined shall be construed in a manner consistent with the Pennsylvania Human Relations Act.

## ARTICLE IV RECORDS

- A. The official records of the Commission shall be maintained in the Offices of the Borough or at such other designated location as the Commission may from time to time determine. The official records of the Commission shall be available to the public in accordance with the requirements of the Pennsylvania Right-to-Know Act.

## ARTICLE V COMPOSITION

### Section 1 – Membership

- A. The Commission shall consist of seven members, who ~~shall be appointed to a finite term ending December 31, 2022, unless they are appointed by Council determine that the Commission should exist beyond this date. If the Commission continues beyond this date, the Council may, in its sole discretion, reappoint or replace any of the then existing members of the Commission to a(n) (additional) term of up to two years. If the Commission exists beyond December 31, 2024, these Bylaws will be edited to reflect the intent and purpose of the Commission and its membership accordingly. All members of the Commission shall be residents or business owners of the Borough or have close connections to the Borough.~~ Members shall serve without compensation.
- B. Members of the Commission shall, as soon after their appointment as practical, attend such training and education seminars or sessions as deemed necessary to acquaint themselves with the Resolution, the functioning of the Borough, and the relevant open meeting laws pursuant to Pennsylvania Sunshine Act (65 Pa. C.S. § 701 et seq.).
- C. Members of the Commission who miss two or more consecutive meetings may be subject to removal from the Commission, with removal being ~~determined recommended to Council~~ by an affirmative vote of a ~~simple~~ majority of the other members of the Commission. ~~Members who miss more than two consecutive meetings shall be removed from the Commission.~~

### Section 2 - Officers

- A. The Commission shall designate two members to serve as Co-Chairs of the Commission. The Co-Chairs shall be responsible for coordinating the activities, scheduling, and managing the flow of meetings, serving as the spokesperson(s) for the Commission when necessary, and ensuring efficient and effective operations of the Commission, as set forth in the Resolution and these Bylaws. While the Co-Chairs assume the essential duties for the coordination of the Commission activities, the Co-Chairs are considered equal members of the Commission on par with the other members, and their vote and voice have no greater or lesser effect than that of the other members of the Commission. Should one of the Co-Chairs be voluntarily or involuntarily removed from the Commission, the other Co-Chair shall automatically assume a singular Chairperson capacity and at the

next meeting the Commission shall designate another member to serve as Co-Chair.

- B. The Commission may designate one person to serve as Secretary of the Commission. The Secretary may be either a current member of the Commission or a volunteer as approved by a simple majority vote of the members of the Commission.

### Section 3 – Replacement Members

- A. Should one member leave the Commission voluntarily or involuntarily before December 31, 2021, the Commission shall continue its work with the remaining six members while simultaneously working in collaboration with the Council to identify an alternate member. A replacement member should be identified and approved by the Council within 30-60 days following the date the Commission first became aware of the vacancy.

### Section 4 – Volunteers and Staff Persons

- A. The Commission may, by simple majority vote, invite volunteers to affiliate with the Commission to assist with its mission and operations.
- B. The Commission may from time to time, and with the prior approval of the Council or Borough Manager, utilize Borough staff persons to assist with its mission and operations.
- C. Volunteers shall not be members of the Commission and shall not be paid for their assistance to the Commission.
- D. Volunteers and staff persons affiliated with the Commission shall serve at the pleasure of the Commission and shall act only upon the direction of the Commission.

### Section 5 – Subcommittees and Working Groups

- A. The Commission may, by simple majority vote, establish one or more standing subcommittees to carry out the work of the Commission. These subcommittees will typically have anywhere from two to four members and may, at the sole discretion of the Commission, also include volunteers. Staff persons of the Borough may also serve on a subcommittee with the approval of both the Commission and the Council or Borough Manager. The subcommittees are empowered to deliberate on potential and pending actions and recommendations of the Commission but are not empowered to formally act. The subcommittees must bring any decisions made to the full Commission for a formal vote before any specific decision of the subcommittees are acted upon or advanced. Subcommittees, by nature of their work in streamlining the activities of the Commission, are subject to the Pennsylvania Sunshine Act. Should the Commission determine at any point that a subcommittee should be re-constituted or eliminated, it may do so at any time and by virtue of a simple majority vote.
- B. The Commission may, by simple majority, establish one or more working groups to carry out specific tasks of the Commissions. Working groups are typically informal and temporary in nature and are charged with carrying out tasks deemed important but not consequential in nature. The working groups are not empowered to make formal decisions and will bring any work product before the full Commission for formal deliberation, approval, and/or voting. Due to the informal, limited, and non-consequential nature of working groups, they are generally not considered to be subject to the Pennsylvania Sunshine Act.

## ARTICLE VI FINANCE

The Commission does not anticipate the need for an operating budget. Should the need for a budget arise, the Commission shall consult with the Council. If a budget request is approved by Council, the Commission shall thereafter operate within the scope of funds that may be allocated by the Council and shall not exceed the annual allocation in any given fiscal year, except upon prior approval by the Council. The Commission shall be supported by volunteers, unpaid staff, and volunteer efforts and shall be as close to “zero cost” to the Borough as reasonably feasible.

## ARTICLE VII MEETINGS

### Section 1 – Meetings

The Commission shall meet not less than monthly for the transaction of such business that may come before it. The day and time of such meetings shall be determined by the Commission.

### Section 2 – Notices of Meetings

Notice of all regular or special meetings shall be provided to the Commissioners and to the general public in accordance with the Pennsylvania Sunshine Act. The purpose for which a meeting is called shall be stated in the notice.

### Section 3 – Special Meetings

A special meeting of the Commission may be called either by the Chairperson or by no fewer than half a majority of the membership of the Commission.

### Section 4 – Quorum

A ~~simple~~ majority of members of the Commission shall constitute a quorum for the transaction of business. In the event there is not a quorum, the meeting will either be cancelled, or if not cancelled, the Commission can only discuss topics and issues but cannot decide or vote on any topic or issue until the following regularly scheduled meeting.

### Section 5 – Order of Business

The order of business of the regular meeting shall be:

- a) Call to Order
- b) Approval of Minutes
- c) Discussion of topics and issues
- d) Public comment
- e) Matters submitted for vote
- f) Announcements
- g) Adjournment

## ARTICLE VIII VOTING AND CONDUCT OF BUSINESS

### Section 1 – Conduct of Business

A ~~simple~~ majority of members present and entitled to vote shall be sufficient to decide an issue. ~~Simple m~~Majority means at least 51% more than half of the members present and entitled to vote excluding those who are present but abstain or may not vote due to a conflict of interest.

## Section 2 – Voting Rights

Each member shall be entitled to one vote on each matter submitted to a vote of the Commission as a whole, except that a member ~~subject to~~who is pending removal from the Commission shall be afforded voice but shall not have a vote.

## ARTICLE IX AMENDMENTS

Amendments may be made to the Bylaws at any regular meeting of the Commission, provided that: 1) a written notice has been tendered to the Commissioners and the Council of the intention to amend; and 2) the amendment or amendments have been discussed by the Commission at a regular meeting prior to the meeting at which action is taken. Other revisions to the Bylaws will be approved by the same manner as is stated for the approval of amendments.

## ARTICLE X REPEAL

These Bylaws, or parts thereof, may be repealed by the Commission under the same conditions as prescribed in Article IX.

## CERTIFICATE

The undersigned Chairperson hereby certifies that these Bylaws were duly adopted by the Borough of Carlisle Truth and Reconciliation Commission on July, 2021.

By \_\_\_\_\_  
Commissioner Donelson

By \_\_\_\_\_  
Commissioner Isaac

By \_\_\_\_\_  
Commissioner Kelahan (Co-~~Co~~  
Chair)

By \_\_\_\_\_  
Commissioner Milazzo

By \_\_\_\_\_

Commissioner Razanauskas

By \_\_\_\_\_  
Commissioner Stallworth (Co-~~Co~~-  
Chair)

By \_\_\_\_\_  
Commissioner Wilbur