

# MONTEREY UNITED CHURCH OF CHRIST

## CONSTITUTION & BYLAWS

### Article I. Name

The name of this Church is *Monterey United Church of Christ*. It continues without break in history or tradition the Church gathered by Covenant on September 25, 1750 in Township #1 as “a Church of our Lord Jesus Christ,” and known successively as the *First Congregational Church* of Tyringham until 1847, then as the *First Congregation Church of Monterey*. It was incorporated March 18, 1910.

### Article II. Purpose

It is the purpose of this Church to be a fellowship of those who love and serve the Lord: congregational in its organization; covenantal in structure; ecumenical in spirit; ministering, teaching and serving in activity; and cordially inviting and welcoming all who share our purpose, need our ministry, or wish to seek with us the Way, the Truth, and the Life.

### Article III. Government

The government of this Church is vested in its members. Although controlling its own affairs, this Church shall participate in fellowship with other churches, and co-operate in the larger work of the United Church of Christ.

This Church holds its standing as a Local Church of the United Church of Christ by its membership in the Berkshire Association of the Southern New England Conference of the General Synod of the United Church of Christ.

### Article IV. Faith and Covenant

Section 1: Faith. This Church acknowledges the responsibility of each Christian to develop his or her own faith on the basis of a personal relationship with God, and supports the freedom of conscience expressed in word and deed. Therefore, this Church accepts the Statement of Faith of the United Church of Christ not as a test of faith or a creed requiring uniform belief but as a summary of what is commonly believed among us. This covenant is the bond which binds us in fellowship and service.

We believe in God, the Eternal Spirit, Father of our Lord Jesus Christ and our Father, and to his deeds we testify:

He calls the worlds into being, creates man in his own image and sets before him the ways of life and death.

He seeks in holy love to save all people from aimlessness and sin.

He judges men and nations by his righteous will declared through prophets and apostles.

In Jesus Christ, the man of Nazareth, our crucified and risen Lord, he has come to us and shared our common lot, conquering sin and death and reconciling the world to himself.

He bestows upon us his Holy Spirit, creating and renewing the church of Jesus Christ, binding in covenant faithful people of all ages, tongues, and races.

He calls us into his church to accept the cost and joy of discipleship, to be his servants in the service of men, to proclaim the gospel to all the world and resist the powers of evil, to share in Christ's baptism and eat at his table, to join him in his passion and victory.

He promises to all who trust him forgiveness of sins and fullness of grace, courage in the struggle for justice and peace, his presence in trial and rejoicing, and eternal life in his kingdom which has no end.

Blessing and honor, glory and power be unto him.

Amen.

Section 2: Covenant and Membership. We are bound together as a church by our covenant with each other and with God to seek to know the will of God as taught in the Holy Scriptures, and to strive to walk in the ways of the Lord made known, or to be made known to us; to study and to teach the faith of the church; to take part in the worship and business of the church; to support the work of the church here and throughout the world with our labor and our gifts according to our means.

All members will strive to join regularly in public worship and to celebrate the sacraments so as to nurture and improve the spiritual welfare of this Church, the people it serves, and themselves. They shall also strive to be good stewards, sharing with this faith community their time, talents and financial resources. Members will be expected to familiarize themselves with the history, beliefs and polity of the United Church of Christ as well as this particular church.

Members may, at their own request, be granted a letter of transfer to another Christian church as we recognize this church as one congregation of the whole Christian Church, and acknowledge that the covenant which binds us together as a local church also unites us in worship and work with all Christians everywhere.

Members who have not shown interest regarding their membership shall be placed on a conditional list called "Inactive Members." They shall not be counted in the statistics of the Church or be eligible to vote on church matters. Inactive members requesting to become active will be reinstated

on the rolls of the Church by committing themselves to Article IV of the Constitution and By-Laws while also participating in the life and work of this congregation.

## Article V. Officers

### Section 1: Officers.

The Parish Council, elected by the church, shall be the administrative body of the Church and shall consist of the following officers:

- Elected by the Church
  - Pastor
- Appointed by the Council
  - Moderator
  - Clerk
  - Treasurer

### Section 2: Pastor.

The pastor shall be called by at least a two-thirds vote of the members present and voting at a meeting of the Church specifically called for that purpose. The Pastor shall be the spiritual leader of the Church, conducting worship and administering the sacraments and offering pastoral care where it is needed. The Pastor shall work closely with the Parish Council to administer activities of the Church and shall serve as an advisory member of all boards and committees. The Pastor shall vote on church matters only if he or she is also a member of the church.

Unless the Pastor is called for a stated term, the Pastor of the Church may dissolve the pastoral relationship by giving sixty days notice. The decision by the Church to dismiss the Pastor must be made by at least a two-thirds vote of the members present and voting at a meeting called for that purpose. However, in the case of loss of ministerial standing on the part of the Pastor, the pastoral relationship shall terminate at once.

### Section 3: Parish Council.

The Parish Council shall be the administrative body of the Church, and shall consist of the Pastor, the members of the Council elected by the Church, and the Moderator, the Clerk, and the Treasurer appointed by the Council.

The Parish Council shall divide itself into committees, as directed by the By-laws, to ensure the effective administration of all aspects of the Church's ministry.

It shall be the function of the Parish Council to visualize the entire ministry of the Church, to advise the Pastor of the general direction of the Church's mission, and to work together in the formulation of a well-rounded program.

The Council shall meet regularly to hear reports from boards, committees, organizations, and individuals as it deems necessary. It shall be responsible for the organization of the Church's program, providing mutual counseling and encouragement in its execution, and shall refer to appropriate committees for further study or for action programs in the areas for which they were appointed.

The Parish Council shall act for the Church in ordinary matters, always assuming that unless such action is taken in practical unanimity, it must have the confirmation of the Church.

#### Section 4: Spiritual Interests of the Church

It shall also be the duty of the Parish Council to co-operate with the Pastor in ministering to the spiritual interests of the Church and the community. They shall assist in the preparation and administration of the sacraments, in caring for the poor, the sick, the sorrowing, and the needy, and in welcoming newcomers and visitors.

The Parish Council shall have the responsibility of examining all applicants for membership on profession of faith, and shall make an annual survey of the Church roll, submitting recommendations for revisions at the Annual Meeting of the Church.

In the absence of the Pastor they shall provide for the supply of the pulpit.

#### Section 5: Church Property and Invested Funds

Under the direction of the Church, the Parish Council shall have the care and custody of the property of the Church. They shall have no power to buy, sell, mortgage, lease, or transfer property without specific authority by vote of the Church at a duly called meeting. They shall receive from the Clerk and keep on file originals or copies of all leases, rental agreements, insurance policies, contracts, and other documents bearing directly on their task of managing and maintaining the property of the Church, and shall make all claims for damage or loss covered by insurance.

The Parish Council holds responsibility for management and use of invested funds, both restricted and unrestricted, and shall seek the counsel of the Treasurer on all actions except minor details of maintaining these funds.

The Parish Council shall keep account of all transactions involving invested funds, have the care of all investment documents pertaining to these funds, and make a summary report to the Annual Meeting of the Church.

#### Section 6: Moderator.

The Moderator shall be appointed annually by the Parish Council from among its own membership, and shall, along with the Pastor and Clerk, act as a Church official in matters requiring congregational representation.

The Moderator may, with Parish Council approval, act as convener for its meetings and moderate meetings of the Church.

#### Section 7: Clerk.

The Clerk shall be appointed annually by the Parish Council and shall keep for the Council faithful record of the proceedings and serve as its secretary.

The Clerk shall maintain an up-to-date register of all church members and their addresses, with dates and modes of their reception and removal, as well as a record of all baptisms and marriages.

The Clerk shall issue letters of transfer voted by the Parish Council, notifying the churches to which they are addressed; preserve on file all communications and written official reports; notify all persons elected or appointed to offices and committees; give legal notice of all meetings when such notice is required; conduct all correspondence not otherwise provided for, and perform such other duties as are prescribed by law or as usually pertain to the office of a clerk or secretary of a church corporation.

The Clerk shall report annually to the Southern New England Conference of the United Church of Christ on forms provided by that body, and to the Annual Meeting of the Church, and report to the Parish Council as it shall direct.

The Clerk shall maintain, as the permanent record of the Church, a book including, but not limited to, originals or copies of all notices of Church Meetings, minutes of Church Meetings, documents of historical importance, and corporate legal and business documents, and shall transmit to the Parish Council originals or copies of documents pertaining to the Council's responsibilities, and to the Treasurer originals or copies of documents pertaining to the Treasurer's responsibilities, as may be requested.

#### Section 8: Treasurer.

The Treasurer shall be appointed by the Parish Council and be a member of the Council.

The Treasurer shall receive the funds of the Church, and shall disburse all authorized budget expenses for benevolence, program, administration, and maintenance.

The Treasurer, or an accountant hired and approved by Parish Council to assist the Treasurer, shall keep detailed accounts of the source and amounts of all funds received, and the purpose, amount, and recipient of each expenditure, and make a summary report to the Annual Meeting of the Church. A journal and ledger to which the record of accounts is transferred as final entry from original postings shall be maintained and preserved as permanent records-

#### Section 9: Powers.

In corporate legal and business matters where the action of a Board of Directors is called for, the Parish Council shall act as Board of Directors of the Corporation, and where the signature of a

President is called for, the Moderator shall sign as President, or in the Moderator's absence or inability to act, the Treasurer may sign as Vice-President of the Corporation.

#### Article VI: Committee Structure.

This structure forms the basis for the on-going planning, co-ordination and implementation of the ministry and mission of the Church. Each committee shall have a specific area of responsibility and be accountable to the Parish Council. It shall be the responsibility of each Chairperson to enlist the appropriate number of committee members to accomplish the work of that committee. Committee members shall serve for successive one-year terms with the approval of the Parish Council. The Committees shall be as follows:

- Property shall provide for the care and maintenance of all church properties.
- Worship shall be responsible with the pastor for the on-going worship program of the church, including the preparation of the sacraments, co-ordination of flowers, overseeing the music program and arranging for pulpit supply as needed.
- Education shall interpret the United Church of Christ global mission program to the congregation and determine the church's focus for local mission support and program initiation.
- Stewardship shall be responsible for the continuing stewardship emphasis of the church, including the planning and implementation of the annual financial campaign.
- Nurture shall co-ordinate outreach efforts to church and community members having special needs.
- Administration shall consist of one Parish Council member acting as church administrator to provide assistance to the Clerk and Moderator as needed; assume the responsibility of Moderator or Clerk in their absence; chair the nominating committee and report its findings at the annual meeting.

#### Article VII: Membership Meetings

- The official year of this church for accounting and record keeping shall be the calendar year. Meetings of members shall be called and conducted in the following manner:
- The Annual Meeting of the Church shall be held in the second half of January or, due to unusual circumstances, at an alternate time at the discretion of the Pastor, Moderator, and Clerk. Notice of the day of the Meeting and the purpose of the Meeting shall be read from the pulpit during worship on the two Sundays preceding the day of the Meeting, and also will be sent to all members of the Church in print or electronically at least two weeks prior to the day of the meeting. At the first Council meeting following any congregational meeting, the Council will review the minutes of the meeting and make recommendations for any corrections to be presented to the congregation at the next congregational meeting.

- Special Meetings of the Church may be called by the Pastor, Moderator, Clerk, or Church Council. The notice of the Meeting and its purpose shall be read from the pulpit during worship on two Sundays preceding the day of the Meeting, and also shall be sent to all members in print or electronically at least two weeks prior to the day of the meeting.
- A number representing at least two-thirds of active members shall constitute a quorum at any Annual or Special Meeting. Members and non-members may attend in person or via teleconference. Active members who attend via teleconference must be on camera to vote. The vote of the majority shall carry the action of this Church. Exceptions include:
  - the call or the dismissal of a Pastor,
  - the adoption of amendments to this Constitution and By-laws or acquisition,
  - and disposal of real estate.

These exceptions stated above shall require a two-thirds vote of eligible members present in-person or via teleconference.

- The most current edition of Robert's Rules of Order shall be the parliamentary authority for all matters of procedure at meetings of this church unless specifically provided otherwise in this Constitution and By-laws.

#### Article VIII: Continuity of Ministry

While it is our intent that this church will continue its ministry without end, it is prudent to provide by the Constitution and By-laws for the orderly transition in the event of cessation of this faith community. For this to occur, a two-thirds majority vote of active members in accordance with Article VII is required. Should this occur, the Council will proceed to liquidate all real property and contents thereof following which, all church assets of whatever nature shall be transferred to the Southern New England Conference of the United Church of Christ and/or other entity(s) as voted by Congregational Meeting. It is understood that such assets do not belong to any members of this church.

#### Article IX: Invested Funds

A. The Parish Council of the Monterey United Church of Christ shall serve as the administrator of the endowment and be responsible for its management.

B. The Council shall make use of professional investment management services such as the United Church Foundation, Inc.

C. The Council, at each annual meeting of the congregation, shall render a full and complete audited account of the administration of the endowment during the preceding year.

D. Members of the Council shall not be liable for any losses which may be incurred upon the investments of the assets of the endowment fund except to the extent such losses shall have been caused by bad faith or gross negligence. No member shall be personally liable as long as he/she acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions, and shall not be liable for the acts or omissions of any other member. No member shall engage in any self-dealing or transactions with the endowment in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interest would conflict with the interest of the fund.

#### Amendments

The Constitution & Bylaws of the Church may be altered or amended by a two-thirds vote at any annual or special meeting of the Church.

Neither the Constitution nor the By-Laws may be altered or amended unless a statement of the proposed change is included in the notice of the meeting at which the action is brought to a vote.

*This version is the result of a process of revision and compilation completed and ratified on March 19, 2023, and is submitted to the membership of the church by its current Parish Council, in service of Christ's gospel and to the glory of God.*