



## **By-Laws of the Trinitarian Congregational Church of Concord, Massachusetts**

**Adopted March 30, 1982 (as amended through February 10, 2019)**

### Article I

#### **Name**

The name of this church shall be The Trinitarian Congregational Church of Concord, Massachusetts.

### Article II

#### **Purpose**

The purpose of this church shall be to worship God; to preach, teach and live the gospel of Jesus Christ; to experience Christian fellowship and unity within the church and the church universal; to celebrate the sacraments; to render loving service toward all of God's creation; to work for righteousness, justice and peace.

### Article III

#### **Polity**

The government of this church is vested in its members, who exercise the right of control in all its affairs, subject in legal matters to the Articles of Incorporation granted it by the General Court of the Commonwealth of Massachusetts.

This church is part of the United Church of Christ and accepts the obligations of mutual counsel, support, fellowship, and service.

### Article IV

#### **Faith**

This church acknowledges as its head Jesus Christ. It acknowledges as sisters and brothers in Christ all who share this confession. It looks to the Word of God as revealed in the Scriptures, and to the presence and power of the Holy Spirit. It claims as its own the faith of the historic church expressed in ancient Christian creeds and reclaimed in the basic insights of the Protestant Reformers. It affirms the responsibility of the church in each generation to make this faith its own. This church identifies with the Statement of Faith of the United Church of Christ.

### Article V

#### **Membership**

- A. Membership of this church shall be open to any person who has received the sacrament of baptism and who is willing to own publicly the faith and purpose expressed in Articles II and IV.



- B. Members shall covenant to:
1. Affirm faith in God as known in Jesus Christ;
  2. Share regularly in the worship of God;
  3. Enlist in the work of this congregation as it serves the community and the world;
  4. Contribute to the church's work and benevolences.
- C. There shall be two classes of membership: Active, and Associate. Active members may serve in elected and appointed positions and shall have a vote in congregational meetings. Associate members may serve in appointed positions but may not serve in elected positions and shall have no vote in congregational meetings.
1. Active membership shall consist of:
    - a. Those persons who join the church in accordance with Paragraphs A and B above and are received into membership at a regular service of worship.
    - b. Inactive persons who are again fulfilling the Covenant of Membership
  2. Associate membership shall consist of those who fulfill the Covenant of Membership as described in Article V, Paragraph B above, who apply for status as Associate Member.
  3. Inactive persons shall consist of those persons who were formerly Active members or Associate members, but who are no longer fulfilling the Covenant of Membership as described in Article V, Paragraph B above.

#### Article VI

#### **Worship Services and Meetings**

The services and meetings of the church shall be as follows:

1. Worship Services
  - a. Services of worship shall be held at given hours each Sunday except when temporarily suspended by vote of the Diaconate. Other services of worship, inspiration, and prayer may be held as determined by the Minister and Diaconate.
  - b. The Sacrament of the Lord's Supper shall be celebrated at the times to be determined by the Minister and the Diaconate. The baptism of adults and children shall be administered at such times as the Minister and Diaconate shall determine.

## 2. Meetings

- a. The Annual Meeting shall be held between January 20th and February 20th with the specific date to be set by the Church Council. This meeting shall receive the yearly reports of officers, staff, organizations and committees, elect officers, adopt the annual budget, set up plans for the year and transact any other business which may legally come before said meeting.
- b. A special meeting shall be called when requested by a two-thirds vote of the Church Council or upon the request in writing to the Clerk by any ten members of the congregation. The Clerk shall insert in the call all subjects named in the request for such meeting.
- c. Notices of all called meetings shall be posted by the Clerk in two conspicuous places in the church at least eight (8) days in advance of the meeting, including two Sundays. The notices shall be read from the pulpit during a regular church service and distributed by mail at least once in a general mailing to the congregation at least ten (10) days before the meeting is held.
- d. A quorum at any business meeting of the congregation shall consist of twenty-five (25) members, except that, for the purpose of alteration or amendment of the By-Laws, a quorum shall consist of forty (40) members. All Active members are entitled to vote on all matters and, unless otherwise required, a majority vote is decisive.
- e. The warrant for the Annual Meeting shall be prepared by the Church Council. Articles shall be inserted in any warrant if ten members give a written request to the Clerk at least thirty (30) days prior to the date of the meeting.
- f. The parliamentary procedures of this church shall be governed by **Robert's Rules of Order, Newly Revised**, except as otherwise voted by the congregation.

## Article VII **Ministers and Staff**

### A. Senior Minister

#### 1. Responsibilities:

- a. The Minister shall be called to preach and teach the Gospel, to administer the Sacraments and rites of the church, and to exercise the various forms of ministerial care and leadership.

- b. The Minister shall be an ex officio member of all church boards and committees, elected or appointed, without vote on such committees.
  - c. The Minister shall guide and coordinate the work of the entire staff.
  - d. The Minister shall report to the Church Council but is responsible ultimately to the congregation.
  - e. The Minister and Moderator shall participate in an annual review as stipulated by contract.
  - f. The Minister shall be encouraged to devote part of his or her working hours to personal growth and study; and to participate in ecclesiastical, ecumenical, and community bodies beyond the local congregation.
2. Procedures for Calling the Senior Minister and for termination of his or her contract:
- a. The Minister shall be called according to the procedures outlined in the Constitution, By-Laws and practices of the United Church of Christ, as amended from time to time.
  - b. A Search Committee for the Minister shall be formed to solicit and evaluate candidates for the position and nominate one or more for consideration for call by the congregation. The membership of this committee shall be nominated by the Diaconate and elected by the congregation. Active members of the church shall have the opportunity to make additional nominations to the Search Committee from the floor.
  - c. He or she shall be called for an indefinite time, and by two-thirds vote of the members present at a meeting called for that purpose.
  - d. He or she shall become a member of this church, and shall join with the church in requesting installation by the Metropolitan Boston Association of the United Church of Christ.
  - e. In order to terminate a contract, three month's notice shall be given by either party. Notice of less than three months may be given if acceptable to both parties. The procedures for termination shall be in accordance with the Constitution, By-Laws, and practices of the United Church of Christ, as amended from time to time. Notification of such termination shall be sent by the Moderator of the church to the President of the Massachusetts Conference of the United Church of Christ, and to the Area Minister of the Metropolitan Boston Association.

B. Additional Clergy

1. Responsibilities:

- a. Additional Clergy shall have such responsibilities and duties as adopted by vote of the church membership at time of calling-
- b. Additional Clergy shall work in consultation with and be evaluated by the Senior Minister, who shall seek input as needed from the Diaconate, the Moderator and representatives of such committees of the church as are particularly relevant to the work of Additional Clergy.

2. Procedures for Calling Additional Clergy and for termination of his or her contract shall be the same as A.2 (above).

C. Additional Staff

1. The overall plan for staffing the church shall be decided by vote of the congregation.
2. Job descriptions shall be written for each position.

Article VIII  
**Officers**

The officers of the church shall be the following:

1. Moderator: The Moderator shall be the chief officer of the church, the chairperson of the Church Council, and the one who presides at official meetings of the congregation. He or she shall assist any persons bringing business before the congregation or the Church Council and shall be responsible for the preparation of the agenda for any such meetings. The Moderator shall be responsible to the congregation. He or she shall be elected by the congregation for a one-year term at the Annual Meeting.
2. Assistant Moderator: The Assistant Moderator shall assist the Moderator in whatever ways are determined from year to year by the Church Council. In the absence of the Moderator, he or she shall perform the duties of the Moderator. The Assistant Moderator shall be responsible to the Moderator and the Church Council. He or she shall be elected by the congregation for a one-year term at the Annual Meeting.
3. Clerk: The Clerk shall keep faithful record of the proceedings of the church and of the Church Council, of which the Clerk shall be a member and its secretary. The Clerk shall oversee a register with addresses of the members of the church, with dates and modes of their reception and removal; also a record of baptisms and marriages. The Clerk shall oversee Letters of Transfer, notifying the churches to which they are

- addressed; preserve on file all communications and written reports; give notices of all meetings when such notices are necessary; conduct all correspondence not otherwise provided for; prepare with the Church Council or other such persons as the Church Council may designate a yearly review of the membership of the church, and perform such other duties as are prescribed by law or as usually pertain to the office of a clerk or secretary of an assembly. The Clerk shall be responsible to the congregation through the Moderator and the Church Council. The Clerk shall be elected by the congregation for a one-year term at the Annual Meeting.
4. Treasurer: The Treasurer shall oversee accurate account of all receipts and disbursements and shall carry on all the other normal duties of a treasurer as determined by the Finance Committee. The Treasurer shall be responsible to the Church Council. The Treasurer shall be elected by the congregation for a one-year term at the Annual Meeting.
  5. Assistant Treasurer: The Assistant Treasurer shall serve as Treasurer in the absence of the Treasurer and shall assist the Treasurer in all the above duties as needed. The Assistant Treasurer shall be responsible to the Church Council through the Treasurer. The Assistant Treasurer shall be elected by the congregation for a one-year term at the Annual Meeting.
  6. Auditor: The Auditor shall examine the accounts of the Treasurer and/or Assistant Treasurer and the Business Manager and report thereon to the annual meeting. The Auditor shall be responsible to the congregation. The Auditor shall be elected by the congregation for a one-year term at the Annual Meeting.
  7. All officers shall continue in office until their successors have been elected and qualified.
  8. Officers other than the Treasurer and Auditor may serve three consecutive terms. Thereafter they may be re-elected only after one year's absence from office. There is no limitation on the terms of office the Treasurer and Auditor may serve.
  9. Other officers may be elected at the Annual Meeting as need shall dictate.
  10. Neither Officers nor members of the Church Council are required to be bonded, except as voted by the congregation.

## Article IX

### **Boards and Committees**

- A. Each committee shall yearly elect a chairperson in the month prior to the meeting when new committee members take office. In the event that this is not possible, the previous year's committee chairperson shall remain responsible until the new chairperson is elected.
- B. The boards and committees of the church shall be as follows:
1. Christian Education Committee: The Christian Education Committee shall be responsible for developing the philosophy and establishing policy concerning Christian Education within our church. It shall be responsible for planning and implementing educational opportunities for all ages in a manner compatible with that philosophy.

The Christian Education Committee shall be responsible to the Church Council.

The Christian Education Committee shall consist of nine adults, three of whom shall be elected annually for a term of three (3) years, and up to two high school members elected annually for one-year terms.

2. Church Council: The Church Council shall be the governing body of the church between congregational meetings, and its actions shall be subject to review only by the congregation. The Church Council shall advise the Minister on the general direction of the church's activities and join with him or her in the formulation of a well-rounded program.

The Church Council shall review the proposed annual budget recommended by the Finance Committee and make recommendations to the congregation. It shall coordinate the activities of the church, receive and act upon petitions or requests of groups or individuals, and appoint such additional committees, as it may deem necessary. It shall respond, as required, to unique matters of concern to the church that do not fall within the scope of existing committees. It shall plan the Annual Meeting and special congregational meetings.

The Church Council shall be responsible to the congregation.

Membership shall consist of the Moderator, Assistant Moderator, immediate past Moderator, Minister, any Additional Clergy and additional staff as deemed necessary by the Church Council, Clerk, Treasurer, three members-at-large to be elected for one year, Chairperson of the Diaconate, chairpersons of the elected committees, and others as may be determined by the congregation.

A quorum of the Church Council shall consist of twelve members.

3. Diaconate: The Diaconate, with the Minister(s), shall be responsible for leading the spiritual affairs of the church, including pastoral duties, worship, caring for the membership, support for the church as a teaching parish, and outreach to encourage lay participation in each of these responsibilities. The Diaconate shall provide and distribute the elements for Communion, and be responsible for Baptism and Confirmation.

The Diaconate shall be responsible to the Church Council.

Membership shall consist of nine female deacons and nine male deacons and up to two high school members. Three female deacons and three male deacons shall be elected annually for a term of three (3) years. The high school members shall be elected annually for a one-year term.

4. Fellowship Committee: The Fellowship Committee shall plan fellowship events for the church.

The Fellowship Committee shall be responsible to the Church Council.

- a. Membership shall consist of six persons, two to be elected annually for a term of three (3) years.

5. Finance Committee: The Finance Committee shall have the following responsibilities:

- a. It shall maintain liaison with the committees of the church throughout the year and assist them in budget preparation.
- b. It shall prepare the annual budget of the church, subject to the Church Council's approval, for submission to the congregation at the Annual Meeting or special meeting called for that purpose.
- c. It shall supervise the financial affairs of the church, including the receipt and disbursement of funds and the structure and maintenance of the accounting systems, and provide general direction to the Treasurer.
- d. It shall manage the various funds of the church, including the Endowment Fund.
- e. It shall have the power to buy, sell, assign or transfer intangible property without specific authority of the church.
- f. It shall recommend to the Personnel Committee candidates for Business Manager.
- g. It shall keep the Church Council informed of the financial condition of the church.



- h. The Finance Committee shall be prepared to communicate with the congregation from time to time on financial matters.

The Finance Committee shall be responsible to the Church Council.

Membership shall consist of six members, two of whom shall be elected annually for a three-year term. The Treasurer, Assistant Treasurer and Chairperson of the Stewardship Committee shall be ex officio members of the Committee.

6. Library Committee: The Library Committee shall oversee the Church Library and promote its use. It shall coordinate the purchase of books with church programs.

The Library Committee shall be responsible to the Church Council.

Membership shall consist of five members who shall serve for terms of three (3) years in such order that two are elected each year except every third year when one shall be elected.

7. Membership Committee: The Membership Committee shall have the overall responsibility for maintaining, nurturing and enhancing the membership of the church. It shall develop ways to attract, identify and welcome new people to the church. It shall develop and carry out programs for preparing new people for membership and assimilating new members into the church's life. It shall develop and initiate ways of helping people to have a positive sense of belonging to the church community.

The Membership Committee shall be responsible to the Church Council.

The committee shall consist of nine members, three of whom shall be elected annually for a term of three (3) years.

8. Mission Committee: It shall be the duty of the Mission Committee to guide and develop the mission program of the church.

The Mission Committee shall be responsible to the Church Council.

Membership shall consist of ten members. Nine shall be elected by the congregation for three-year terms, three each, annually; one additional member shall be a high school person elected by the congregation for a one-year term.

9. Music and Other Arts Committee: The purpose of the Music and Other Arts Committee is to enhance the spiritual life and other aspects of the

church by developing and implementing programs in the arts. It shall recommend candidates for Music Director and Organist, in consultation with the Personnel Committee, for appointment by the Church Council.

The Music and Other Arts Committee shall be responsible to the Church Council.

Membership shall consist of five members who shall serve for terms of three years in such order that two are elected each year except every third year when one shall be elected. At least one member of the committee shall be an active participant in the adult choir, and at least one member of the committee shall not be an active participant in the adult choir. If committee member(s)' status in regard to choir participation change(s) during their term such that this requirement is no longer met, it shall be restored at the next regular election of a new member(s).

10. Nominating Committee: The Nominating Committee shall be responsible for preparing nominations for all officers and elected committees of the church as described in X.A, Election of Officers and Committees.

The Nominating Committee shall be responsible to the Church Council.

There shall be six members, two of whom shall be elected each year for a term of three years.

11. Pastor-Parish Relations Committee: The Pastor-Parish Relations Committee shall provide a two-way communications link between the ministers and members of the congregation so as to enhance the effectiveness of the church's ministry. The committee shall serve as an advisory group to the ministers providing an opportunity for constructive and caring communication within an atmosphere of confidentiality and trust.

The Pastor-Parish Relations Committee shall seek to foster understanding by all parties of the pastoral and congregational roles within the life of the church; support and maintain a healthy relationship between the ministers and the congregation; promote the reconciliation of differences; and serve as a catalyst for productive work on issues within these areas of concern, as shall come to the attention of the committee from the ministers or members of the congregation.

The Pastor-Parish Relations Committee shall be responsible only to the congregation, and shall be represented on the Church Council.

The committee shall be comprised of seven (7) members, who shall serve for terms of three (3) years in such order that two are elected each year

except every third year when three shall be elected. The Nominating Committee shall prepare its slate of nominees in consultation with the ministers.

12. Personnel Committee: The Personnel Committee in consultation with the Senior Minister or his or her designee shall be responsible for filling vacancies in church staff other than the Minister or Associate Minister. It shall evaluate staffing requirements with respect to total needs of the church (other than as to ministers) in consultation with the Senior Minister and appropriate committees, periodically review and update as appropriate the personnel policy and review compensation and benefits.

The Personnel Committee shall be available to consult with staff and/or members of the congregation about any matters of concern pertaining to staff.

The Personnel Committee shall also be responsible to the Church Council.

Membership shall consist of six members, two of whom are to be elected annually for a term of three years.

13. Property Committee: The Property Committee shall be responsible for the care and custody of the physical property of the church. The Committee is responsible for custodianship and maintenance of the buildings, grounds and physical equipment, including the church-owned furnishings and décor, and for the general supervision of the sexton/s. The Committee shall act on behalf of the church in negotiating contracts and agreements for services and work to be performed on the property, but the signature(s) on such contracts or agreements shall be limited to those of officer(s) of the church. The Committee, in coordination with the Minister and Business Manager, shall be responsible for the use of the church facilities by any group or groups outside of the committees of the church.

The chairperson will be required at times to make certain decisions regarding the actions to be taken in unusual circumstances. It shall be left to his or her good judgment to act or not, without due consultation with other members of the Committee. A written and/or oral report on such action shall be submitted to the Church Council promptly.

The Property Committee shall consist of nine members, three of whom shall be elected annually for a term of three years. Any member may be re-elected for a successive second and third three-year term without an intervening one-year absence from the Committee. The Treasurer of the Church shall be a member ex officio.

14. Social Action Committee: The mandate for the Social Action Committee comes from the Gospel's directive to Christians to bring a ministry of care, reconciliation, understanding and healing to people struggling with problems of our everyday world, including the issues of justice and peace. It shall be the function of this committee to be continually looking at the problems and challenges facing us in our complex world and asking if we are dealing with those as Christians, as people in covenant with God.

The Committee shall be responsive to specific requests or concerns as they arise, and initiate discussion and action on these. The Committee shall attempt to bring people together to talk, to learn, to debate, and, where possible, to take appropriate action.

The Committee will not issue position statements to the public that might be taken as an expression of the church's position, unless authorized by the congregation and/or Church Council.

The Social Action Committee shall be responsible to the Church Council.

The Committee shall consist of eight members, who shall serve terms of three (3) years in such order that three are elected each year except the third year when two shall be elected.

15. Stewardship Committee: The Stewardship Committee shall function throughout the year, and shall have charge of raising the pledges and cash necessary to fund the budget for the following year.

It shall determine the procedures to be followed to raise funds for the annual operating budget. It shall conduct the annual pledge campaign. The Stewardship Committee shall endeavor to obtain throughout the year pledges from new members as they join the church and others who become frequent attendees at church services.

The Stewardship Committee shall be responsible to the Church Council.

Membership shall consist of six members, two of whom shall be elected annually for a term of three years. The Treasurer and the Chairperson of the Finance Committee shall be ex officio members.

16. Safe Church Committee: The Safe Church Committee shall be responsible for establishing and implementing a Safe Church Policy. The committee will respond to all allegations of child abuse, child neglect, sexual misconduct or sexual harassment alleged to have been committed by or against members of the Trinitarian Congregational Church community at

church or at activities scheduled by the Trinitarian Congregational Church of Concord.

The Safe Church Committee will be comprised of five members who shall serve terms of three (3) years in such order that two are elected each year except the third year when one shall be elected. The Nominating Committee shall prepare its slate of nominees in consultation with the ministers.

Unless otherwise designated, committee members who have served a full term may be re-elected to a committee for a second consecutive full term; but they may be elected anew to further term(s) only after a one-year absence from the committee. The requirement for a one-year absence may be waived in extenuating circumstances to allow one additional term with the consent of the Church Council.

On application of the chairperson of a committee requesting the temporary addition of members to such committee in order to assist in implementing the work of the committee, the Church Council may name one or more temporary additional members to such committee for a term extending to the next annual meeting, acting in accordance with the procedures set forth in Article X.A, for designating replacement members of committees.

#### Article X

##### **Election of Officers and Committees**

- A. Procedures: Prior to the Annual Meeting, the Nominating Committee shall prepare nominations for all officers and elected committees of the church. There shall be a ballot nominating at least one person for each position to be filled by election, such names to be posted at the church at least two Sundays previous to the annual meeting. The right of an Active member of the church to make nominations from the floor shall always be preserved, provided such nominees have indicated their willingness to serve.

All officers and members of elected committees shall be Active members of the church. The slate of nominees shall be reviewed by the Church Council prior to the annual meeting. The Church Council may vote to accept for nomination a non-member, provided that he/she becomes an Active member at the next reception of members.

- B. Vacancy: When vacancy exists in any committee or office of the church, the Nominating Committee shall seek at least one nominee to fill that vacancy, in consultation with the committee that has the vacancy. If appropriate, considering the duration of time before the next meeting of the congregation, the Nominating Committee will recommend to the Church Council the name of a successor to fill the vacancy. The term of such

appointments shall be until the next annual meeting, at which time the same person may be elected to fill any unexpired term.

If a new committee is formed, the Nominating Committee in conjunction with the Church Council shall designate staggered terms of office for the initial members to be elected

- C. Terms of Office: The terms of office for all committees shall take effect following the Annual Meeting.
- D. Quorum: A quorum of each other board or committee, other than Church Council, shall consist of a majority of its members.

#### Article XI **Delegates**

- A. Delegates to the Metropolitan Boston Association: Delegates shall be elected at the Annual Meeting for a one-year term to represent this church at meetings of the Metropolitan Boston Association. The number to be elected shall be according to the current policy of the M.B.A. They shall report to the Church Council and/or to the congregation.
- B. Delegates to the Massachusetts Conference of the United Church of Christ: Delegates shall be elected at the Annual Meeting for a one-year term to represent this church at meetings of the Massachusetts Conference. The number to be elected shall be according to the current policy of the Conference. They shall report to the Church Council and/or the congregation.

#### Article XII **Fiscal Year**

The fiscal year is the calendar year.

#### Article XIII **Endowment Funds**

The Church Endowment Funds consist of the General Endowment Fund, the Mission Endowment Fund and the Clergy Housing Fund. These Endowment Funds shall be invested and reinvested under the direction of the Finance Committee. Each fund need not be separately invested but may be retained in one or more securities of a kind and in an amount considered proper for the legal investment of trust funds, or in such other investments as may be approved by the Church Council, provided that the individual funds shall be separately entered on the account books of the church.

All legacies not specifically appropriated to some special purpose shall be added to the General Endowment Fund. No restrictive or conditional gift may be deemed accepted until approved by the Church Council. A copy of any



restrictive provisions governing such a gift shall be made a permanent record in the Treasurer's books.

Distributions from the funds, as recommended by the Finance Committee shall be subject to the applicable limitations of the Uniform Management of Institutional Funds Act. Distributions from the General Endowment Fund, as recommended by the Finance Committee, may be used for current expenses. Distributions from the Mission Endowment Fund, as recommended by the Finance Committee, may be used for mission purposes as decided by the Mission Committee. Distributions from the Clergy Housing Fund, as recommended by the Finance Committee, may be used for current expenses to defray the cost of clergy housing.

#### Article XIV **Memorial Gifts Funds**

All memorial gifts shall be held by the Treasurer and spent as approved by the Church Council. Such funds shall be for unrestricted use, except as specifically accepted by the Church Council. Except for a restricted gift as accepted by the Church Council, all uses or purposes benefiting the church in any manner shall be considered a proper expenditure of Memorial Gifts funds.

#### Article XV **Property**

- A. The church may in its corporate name sue or be sued, acquire by purchase, gift, devise, bequest or otherwise and own, hold, invest, reinvest or dispose of property both real and personal for such work as the church may undertake and may purchase, own, receive, hold, manage, care for and transfer, rent, lease, mortgage, pledge, or otherwise encumber, sell, assign transfer and convey such property for the general purposes of the church; it may receive and hold in trust both real and personal property and invest and reinvest the same and make any contracts for promoting the objects and purposes of the church.
- B. Upon dissolution of the church, its assets and all property and interests of which it shall then be possessed, including any devise, bequest, gift or grant contained in any will or other instrument, in trust or otherwise, made before or after such dissolution, shall be transferred to the Massachusetts Conference of the United Church of Christ.

#### Article XVI **Amendments**

These By-Laws may be altered or amended by a two-thirds vote of the members present at any Annual Meeting or at any other meeting especially called for that purpose, the proposed amendment being stated in the notice for the meeting.