



CONSTITUTION AND BY-LAWS

EBENEZER UNITED CHURCH OF CHRIST

NEW TRIPOLI, PA

September 2009

ARTICLE I. NAME

- A. The name of this congregation shall be Ebenezer United Church of Christ located in New Tripoli, Commonwealth of Pennsylvania, 18066.

ARTICLE II. PURPOSE

- A. The avowed purpose of this congregation shall be to worship God, to preach the gospel of Jesus Christ, and to celebrate the Sacraments; to realize Christian fellowship and unity within this congregation and the Church Universal; to render loving service toward humanity; and to strive for righteousness, justice and peace.

ARTICLE III. AFFILIATION

- A. This congregation shall be part of the United Church of Christ. It shall sustain that relationship to the United Church of Christ described in those portions of the Constitution and By-Laws of the General Synod of the United Church of Christ adopted July 4, 1961, and as subsequently revised, relating to local congregations.
- B. The government of this congregation is vested in its members, who exercise the right of control in all its affairs, subject, however, to the laws of the Commonwealth of Pennsylvania relating to non-profit or ecclesiastical corporations. All responsibility for the life, work, and mission of this church shall ultimately rest in the hands of the congregation.

ARTICLE IV. FAITH, WORSHIP AND COVENANT

- A. **FAITH:** This congregation acknowledges as its sole Head, Jesus Christ, the Son of God and the Savior of all people. It acknowledges as brothers and sisters in Christ, all who share in this

confession. It looks for guidance in the Word of God in the Scriptures, and to the presence and power of the Holy Spirit, to further its creative and redemptive work in the world. It claims as its own the faith of the historic church expressed in the Ancient Creeds (Apostles' and Nicene) 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.

Expressions of this faith are:

We believe in God, the eternal spirit 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.

- B. **WORSHIP:** In accordance with the teaching of our Lord and the practice prevailing among Evangelical Christians, we recognize two Sacraments: Baptism and the Lord's Supper of Holy Communion. We further offer the Rites of Confirmation, Marriage, Ordination and Burial.
- C. **COVENANT:** We covenant one with another to seek and respond to the word and the will of God. We agree to walk together in the ways of the Lord, made known and to be made known to us. We hold it to be the mission of the Church to witness to the gospel of Jesus Christ in all the world, while worshipping God and striving for truth, justice and peace. As did our ancestors, we depend on the Holy Spirit to lead and empower us. We pray for the coming of the Kingdom of God, and we look with faith toward the triumph of righteousness and eternal life.

ARTICLE V. MEMBERSHIP

A. **STATEMENT OF INTENT:** Membership in this congregation shall be open to any person who desires to lead a Christian life.

B. COMMUNICANT MEMBERSHIP:

1. It is understood that all who apply for membership as a communicant member shall have received the Sacrament of Holy Baptism.
2. It is presupposed that all members of the congregation shall have adequate instruction and training in the doctrines and beliefs as well as in the practices of the Church.
3. A communicant member is one who has been received into full Communion by public profession of faith in Jesus Christ as Lord and Savior through one of the following means:
 - a. The Rite of Confirmation.
 - b. Letter of transfer or certification from another Christian congregation.
 - c. Reaffirmation or reprofession of faith.
4. An applicant for communicant membership shall secure the approval of the Pastoral Relations/Spiritual Council Committee and the Consistory prior to being accepted into membership.
5. A communicant member in good standing is defined as one who attends worship services, receives Holy Communion at least once each year, and contributes annually to the financial support of the church.
6. An inactive communicant member is defined as one who has not attended worship service, has not received Holy Communion, and has not contributed to the financial support of the church for a period of one year. An inactive communicant member retains voting privileges for a period of one year following notification of his/her inactive status.

C. **BAPTISMAL MEMBERSHIP RIGHTS:** Baptized persons who are not yet communicant members shall be enrolled as unconfirmed members, but do not have the right to vote on any issue brought before the congregation. Unconfirmed members shall be instructed in the Christian Way and the standards of faith and doctrine of our church. Baptized children who are seven years of age or older shall be encouraged to receive the Sacrament of Communion following a period of instruction and with the support of their parents or guardians.

D. **RESPONSIBILITIES OF ALL COMMUNICANT MEMBERS:** Members shall pledge themselves to attend the regular worship of the church and the celebration of the Lord's Supper of Holy Communion, to contribute to its support and benevolences, and to seek diligently the spiritual welfare of the membership and the community. Specifically, relationship to the Church shall include:

1. Regular attendance at worship.
2. Devout use of the Holy Sacraments.
3. Faithful use of the Bible.

4. Financial and moral support toward the maintenance of the church and its mission outreach.
5. Obedience to its established law and authorities.
6. Continual effort in bringing the unchurched into the church.
7. Sincere endeavor to apply the teachings of Jesus to all human relationships.
8. Attendance and participation at congregational meetings and voting on specific issues as required.
9. Consider serving when called upon to do so by the church.
10. With the help of the church, parents shall provide adequate Christian training for their entire household, including themselves. They shall take their Baptismal vows seriously.

E. TERMINATION OF COMMUNICANT MEMBERSHIP:

1. A member may, by request, be granted a letter of transfer, therein describing his/her standing as a member. If wishing to join a body not in fellowship with the United Church of Christ, he/she may be dismissed with a certificate of church membership.
2. If, because of change of faith or for other reasons not involving unchristian conduct, a member requests, in writing, to be released from membership obligations, the church shall patiently endeavor to secure his/her continuance in its fellowship; but failing in such effort, the church may grant the request and terminate membership. Such a request shall be approved by the Pastor and the Consistory, and the Secretary shall issue the appropriate letter of release.
3. A member who, for a period of one (1) year, has not attended the church worship or received Holy Communion or contributed to the financial support of the congregation, shall be notified by the Consistory, in writing, that he/she is no longer a member in good standing, and is being placed on the inactive communicant membership list. If, after the second year, the relationship remains unchanged, the inactive member shall be contacted by the Pastor and/or member(s) of the Consistory concerning his/her membership status. Following such contacts, an inactive member may be removed from the membership list by action of the Consistory.
4. The names of deceased members shall be removed from the membership roll.

ARTICLE VI. CHURCH GOVERNMENT

A. THE CONGREGATION AND THE CONGREGATIONAL MEETINGS:

1. **GOVERNING BODY:** The ultimate governing body of this congregation shall consist of all communicant members, both those in good standing and those currently on the inactive communicant membership list. All responsibility for the life, work and mission of this church shall ultimately rest in the hands of the congregation.

2. **DELEGATION OF RESPONSIBILITIES:** Responsibilities for specific and particular areas of endeavor may be delegated by the congregation to duly elected officials and/or appointed officials and committees as hereinafter set forth. However, unless specifically delegated, ultimate jurisdiction in any given matter shall always remain in the hands of the congregation.
3. **ANNUAL CONGREGATIONAL MEETING:** There shall be an Annual Congregational Meeting held during the month of November or December, with a written agenda. A quorum must be present at all Annual Congregational Meetings. Ten percent (10%) of the communicant membership, including all members in good standing and those currently inactive, shall constitute a quorum. All items of business affecting the church may be presented for discussion or action including the election of Elders and Deacons, naming of the Nominating Committee for the following year, the review and adoption of a budget, and review of current reports of the Pastor, Consistory, standing committees and auxiliary organizations.
4. **SPECIAL CONGREGATIONAL MEETINGS:** Special Congregational Meetings may be called at any time by the Consistory. Special Congregational Meetings shall be called upon receipt of a petition to the Consistory signed by not less than ten percent (10%) of the communicant members (good standing and inactive). The Consistory shall call such meetings within three (3) weeks from receipt of the petition.
5. **ANNOUNCEMENT OF ALL CONGREGATIONAL MEETINGS:** Notice of and a written agenda for the Annual Congregational Meeting or any Special Congregational Meeting shall be announced from the pulpit and published in the bulletin on the two (2) consecutive Sundays preceding the meeting and by mail to all communicant members (good standing and inactive), at least ten (10) days in advance of the meeting. Such notice shall state the time, place and purpose of the meeting.
6. **QUORUM:** Ten percent (10%) of the communicant membership, including members in good standing and those currently inactive, shall constitute a quorum for any Congregational Meeting.
7. **VOTING:**
 - a. All communicant members (good standing and inactive) shall have the right to vote at the Annual and at Special Congregational Meetings, and at any other Congregational Meetings which may occur. All questions shall be decided by majority vote of the communicant members (good standing and inactive) present and voting, except where otherwise stated in this Constitution.
 - b. All votes shall be cast by written, secret ballot if any of the following are to be decided:
 - (1) Amendment of the Constitution and/or By-Laws;
 - (2) Removal of one or more members of the Consistory; or
 - (3) Removal of the Pastor from office.
8. **AGENDA:** For each Annual or Special Congregational Meeting, a written agenda shall be prepared by the Consistory. The written agenda for any Special Congregational Meeting

shall consist of only such items as were noted in the verbal announcements to the congregation. No other business may be transacted at a Special Congregational Meeting.

B. THE CONSISTORY

1. **DEFINITION:** The Consistory is the administrative body, elected by the congregation.
2. **CONSTITUENTS:** The Consistory shall consist of three (3) Elders and nine (9) Deacons. The Pastor is an ex-officio member of the Consistory with a voice but no vote.
 - a. **ELDERS AND DEACONS** are communicant members (in good standing) of the congregation, elected by the congregation and ordained or installed to their offices. They shall assist and support the Pastor in the spiritual affairs of the Church. They shall aid in visiting the sick and minister, according to their ability, to the spiritual needs of the members. Elders and Deacons shall aid in securing the funds necessary for the support of the Church in its various activities, foster the principles of stewardship, and dispense the charity of the Church. They shall provide the elements for Holy Communion and assist in their distribution. Before becoming an Elder, the individual must have prior service to this congregation as a Deacon for a period of not less than one full year.
 - b. **ANNUAL ELECTON OF ELDERS AND DEACONS:** To effectively carry out and administer the work of the church in an orderly fashion, the congregation shall annually elect Elders and Deacons. A slate of at least one (1) nominee for each open office of Elder and Deacon shall be submitted to the congregation by the Nominating Committee. Additional nominations may be made from the floor during the meeting. In order to provide continuity, one (1) Elder and three (3) Deacons shall be elected annually.
 - c. **TERM OF OFFICE:** Elders and Deacons shall be elected for terms of three (3) years by a majority vote cast at an Annual Congregational Meeting.
 - d. **FAILURE TO FULFILL RESPONSIBILITIES:** Should an Elder or Deacon cease to be a communicant member in good standing, or should they without notification fail to attend three (3) consecutive meetings of the Consistory, their position may at once be declared vacant. To fill the vacancy, Consistory shall immediately call a Special Congregational Meeting, in compliance with Article VI.A.4-5 of this Constitution. With a quorum of not less than ten (10%) percent of the communicant members (good standing and inactive) present, the vote of a majority of all communicant members (good standing and inactive) present and voting is needed to elect a new Consistory member to complete the remaining term of any vacant position.
 - e. **REMOVAL OF CONSISTORY MEMBERS FROM OFFICE:** In the event there is a request for the resignation(s) of Consistory member(s), either by petition of the membership as aforementioned in Article VI.A.4 or upon the request of the Consistory, then the Consistory shall call a Special Congregational Meeting for a final decision on removal of the Consistory member(s) from office. With a quorum of not less than ten (10%) percent of the communicant members (good standing and inactive) present, the vote of a two-thirds (2/3) majority of all communicant members (good standing and inactive) present and voting is needed to immediately remove the Consistory member(s) from office.

3. **AUTHORITY:** The Consistory shall have jurisdiction and oversight of the congregation and all its standing and special church committees and organizations. In all cases the Consistory shall be constituted as the Trustees of the congregation.
4. **RESPONSIBILITIES:** The Consistory shall be the administrative body of the congregation, enabling it to fulfill its Christian mission. The Consistory shall be responsible for the employment and supervision of any salaried personnel needed to carry out the administrative activities of the church. The Consistory shall transact the business of the congregation, make provisions for the determining and raising of the current expense budget as well as Our Church's Wider Mission and benevolences, and provide for the auditing of financial accounts. It shall keep a complete and accurate record of its proceedings, and records of those proceedings shall be either distributed to or readily available for review by all communicant members. The Consistory shall be the custodian of all congregational records, and report to the congregation at its regular and special meetings. All fiscal matters, including the payment of bills, shall be reviewed monthly by the Consistory. All acts and deliberations of the Consistory are subject to the will of and revision by the congregation.
5. **ORGANIZATIONS AND OFFICERS:** The Consistory shall organize itself on an annual basis at the beginning of each calendar year. Officers of the Consistory include the President, Vice-President, Secretary, Financial Secretary and Treasurer. The President, Vice President and Secretary shall be elected from among the members of the Consistory. The Financial Secretary and Treasurer may be elected from among the members of Consistory or the communicant members (in good standing) of the congregation. If the Financial Secretary and Treasurer are elected from the communicant membership of the congregation, they shall be ex-officio members of the Consistory, each with a voice but no vote. All officers shall be elected by the Consistory for a term of one (1) year and they shall be eligible for re-election.
 - a. **PRESIDENT AND VICE-PRESIDENT:** The President shall be the chairperson of the congregation and the Consistory. In the event of the President's inability to serve, the Vice-President shall serve. The President is empowered, along with the Consistory Secretary, to sign all contracts, loans and deeds in the name of the congregation, both signatures required.
 - b. **CONSISTORY SECRETARY:** The Secretary shall keep accurate minutes of all meetings of the congregation and the Consistory, which shall be permanently preserved in its archives. The Secretary is empowered, with the President, to sign all contracts, loans, and deeds in the name of the congregation, both signatures required.
 - c. **TREASURER:** The Treasurer shall have charge of all moneys received to meet current expenses and benevolent contributions. He/she shall pay all regular and ordinary bills as received and provided for in the budget. The Consistory shall establish annually a dollar limit of non-budgeted expenditures which may be paid by the Treasurer without prior Consistory approval. The Treasurer shall submit at least quarterly to the Penn Northeast Conference Treasurer benevolent moneys received as provided for in the budget. His/her bond shall be determined by the Consistory and paid from current funds. The Treasurer may be requested to attend designated Consistory meetings. The salary of the Treasurer shall be determined annually.

- d. **FINANCIAL SECRETARY:** The Financial Secretary shall keep a record of all individual contributions received and provide semi-annual statements to members showing contributions received. The record of contributions must be reconciled with the Treasurer on a monthly basis. The Financial Secretary shall be appointed annually at a designated salary.
 - e. **GENERAL CHURCH SECRETARY:** Provisions shall be made by the Consistory to engage a General Secretary for Ebenezer United Church of Christ Consistory and Pastor. The Secretary shall assist the Pastor in keeping accurate and complete membership records including all baptisms, transfers of membership, profession of faith, confirmations, reprofessions of faith, communing of members, marriages, deaths, removal of names from the membership roll, etc. The addresses of the membership shall be kept current. The Secretary shall tend to all mailings authorized by the Consistory and/or the congregation. The Secretary shall be appointed annually at a designated salary. The Secretary may be requested to attend designated meetings of the Consistory.
 - f. **MEETINGS:** The Consistory shall meet at least every month for the transaction of business. Meetings shall include devotions and should follow a formal agenda. Special Consistory meetings are subject to the call of the President or upon collective request of one-third of Consistory members. Notification shall occur by providing personal notice by telephone or written notice for regular meetings, and at least twenty-four (24) hours for special meetings.
 - g. **QUORUM:** A majority of the Consistory members must be present in order to transact business. A majority vote of the members present is necessary to pass actions of the Consistory.
 - h. **FISCAL AUTHORITY:** The Consistory may not authorize payment of unbudgeted or extraordinary expenses which exceed ten percent (10%) of the annual budget without the approval of the congregation.
 - i. **AUDIT:** Audits of financial records of Ebenezer United Church of Christ are to be done annually by a committee appointed by the Consistory.
6. **STANDING COMMITTEES:** The Consistory shall create standing committees as it may deem necessary for the accomplishment of its work. All standing committees should have at least three (3) members, and all Committee members must be communicant members in good standing. At least one member of each standing committee shall be a member of the Consistory. Each standing committee shall appoint a secretary who shall keep accurate records of all committee meetings. Among the standing committees responsible to the congregation through the Consistory are the following:
- a. **PROPERTY COMMITTEE:** The Property Committee shall oversee the operation and maintenance of all church properties. The Property Committee shall also supervise the work of the Sexton and shall annually review all insurance policies relating to church properties.
 - b. **CHRISTIAN EDUCATION COMMITTEE:** This committee shall guide and oversee the educational work of the church. It shall coordinate programs involving youth groups, confirmation activities (not the instructional), adult education, and any programs

delegated to it by the Consistory. In addition to the Pastor, the Sunday School Superintendent should be a member of the Christian Education Committee. The Superintendent should identify educational needs and evaluate new educational concepts involving the Sunday School.

c. **FINANCE COMMITTEE:** This committee shall prepare and promote the annual budget for the Consistory's consideration; exercise financial oversight; evaluate investment options and make recommendations to the Consistory; administer memorial funds; schedule and staff an annual audit of all of the accounts of the church. This committee should have not less than five (5) members.

d. **STEWARDSHIP COMMITTEE:** This committee shall inspire the congregation to faithfully provide the financial support to meet the budget requirements; encourage the congregation to give generously of their time and individual talents; secure the support for existing and new

ministries/missions as the congregation is called; it shall invite the congregation to think and plan for ways they can live out their faith commitments and move the mission of the church forward. This committee should have not less than five (5) members.

e. **PASTORAL RELATIONS/SPIRITUAL COUNCIL COMMITTEE:** This committee shall consist of the Pastor, the three Elders presently serving on Consistory, and four (4) communicant members (in good standing) from the congregation. It shall follow the guidelines of the Penn Northeast Conference which were adopted in June, 1982, and as subsequently revised, and pertain to the role of a Pastoral Committee. This committee shall support the Pastor in such a way that will allow for the greatest effectiveness in conducting the spiritual affairs of the entire congregation. It shall review all applications for membership into the congregation and report to the Consistory any letters of transfer of members, with recommendations for approval or disapproval. This committee may also be consulted by the Consistory in matters involving discipline of the Pastor.

f. **WORSHIP AND MUSIC COMMITTEE:** This committee shall consist of no less than five (5) communicant members. It shall offer suggestions to the Pastor in the planning and leading of the worship services, and, in cooperation with the Pastor and organist, see to the musical needs of the church.

g. **COMMUNICATIONS COMMITTEE:** This committee's primary duty is to keep all channels of communication open and flowing smoothly. They shall edit and publish the church newsletter. They shall be responsible for the publication of a church directory or any other major publications.

h. **EVANGELISM AND OUTREACH:** This committee shall consist of communicant members who shall be responsible for designing a strategy for communication with and calling on new people in the community and unchurched people concerning interest in attending Ebenezer United Church of Christ. They shall set up and implement a program of welcoming visitors to worship services.

- i. **ALTAR GUILD:** No less than five (5) communicant members to oversee the activities related to the worship services.
 - j. **LONG RANGE PLANNING:** Chairpersons representing all standing committees shall meet annually for long-range planning and report to the Consistory with their goals and objectives and their recommendations for achieving them.
 - k. **NOMINATING COMMITTEE:** This committee shall be named by the Consistory at the Annual Congregational Meeting to develop a slate of Deacons and Elders for the next fiscal year. The committee shall consist of two Consistory members and five members chosen from the congregation, all of whom should be communicant members in good standing. The Nominating Committee shall present the slate of nominees to the Consistory no less than one month prior to the next Annual Congregational Meeting, thus affording the Consistory adequate time to include the information in both the verbal and written notices required for the Annual Congregational Meeting. All nominees must be communicant members in good standing.
 - l. **ADDITIONAL STANDING COMMITTEES:** Additional standing committees may be appointed by the Consistory.
- 7. **SPECIAL COMMITTEES:** The Consistory may appoint special committees deemed necessary to carry out its work. Special committees shall be temporary and shall disband upon completion of their assigned responsibility.
 - 8. **AUXILIARY ORGANIZATIONS:** Additional organizations, which support the mission of the church, may be organized subject to the approval of the Consistory. Such organizations may include, but are not limited to, a Youth Group, Choir, Women’s Guild, Sunday School, daycare center, etc.
 - 9. **AUTHORITY:** All standing committees, special committees and auxiliary organizations are subordinate to the Consistory and are directly responsible to that body.
 - 10. **FUNDING:** Finances of all standing committees, special committees and auxiliary organizations are subject to approval of the Consistory.

ARTICLE VII PASTOR

A. PASTORAL VACANCY

- 1. As soon as a Pastoral vacancy occurs, it shall be reported to the Conference Minister of the Penn Northeast Conference.
- 2. In filling a vacancy or in securing supply ministers for the period of the vacancy, the Pulpit/Search Committee or another designated committee shall seek the counsel of the Penn Northeast Conference Minister.
- 3. It shall be the responsibility of the Pulpit/Search Committee, appointed by the Consistory, to seek and recommend a candidate or candidates for the Pastoral vacancy in cooperation with Penn Northeast Conference. At least one (1) member of Consistory shall serve as a member of the Pulpit/Search Committee.

4. The Pulpit/Search Committee shall present to the Consistory the name of the candidate or candidates it recommends to fill the vacancy.
5. The Consistory shall notify the congregation and the Penn Northeast Conference of a trial sermon at least two (2) weeks prior to the date. Notice of a trial sermon shall be announced from the pulpit and published in the bulletin on the two (2) consecutive Sundays preceding the trial sermon and by mail to all communicant members, (good standing and inactive), at least ten (10) days in advance of the trial sermon.
6. Following the trial sermon, a vote on whether to accept the candidate shall be conducted at a properly noticed Special Congregational Meeting. With a quorum of not less than ten (10%) percent of communicant members (good standing and inactive) present, a favorable vote of at least two-thirds (2/3) of those communicant members (good standing and inactive) present and voting is necessary to constitute a call.

B. THE CALL

1. In the call, the terms of the relationship shall be stated in a written contract, including the agreement of the church to participate in the Pension Fund of the United Church of Christ and the Ministers' Health Insurance Program. Terms of the agreement should also provide provisions for sabbatical leaves, severance pay, and other terms agreed upon between the candidate and the appropriate standing committee. This contract shall be reviewed and renewed every two years. The Pastor, the Church, and the Penn Northeast Conference shall each receive a copy of the call and the written contract.
2. When a Pastor accepts a call to this church, the church and the Pastor shall join in requesting the Penn Northeast Conference to arrange for a service of installation. A report of this service shall be signed by the proper officer of the Penn Northeast Conference, and copies shall be sent to the Secretary of the General Synod of the United Church of Christ.

C. RESPONSIBILITIES AND RIGHTS OF THE PASTOR:

1. The Pastor shall be elected for an indefinite period. In order to terminate this relationship, three (3) months written notice shall be given by either the Pastor, the Consistory, or the congregation unless, by mutual agreement, the time period is shortened. A shorter time period may be established if removal occurs by vote of a two-thirds (2/3) majority of the communicant members (good standing and inactive) present and voting at a properly-noticed Special Congregational Meeting. The procedure for removal of the Pastor shall be in accordance with the Constitution and By-Laws of Ebenezer United Church of Christ, Article VI.la.4-8.
2. It shall be the duty of the Pastor to set a good Christian example to the congregation and to perform all such duties as belong to the Pastor's office in the United Church of Christ and as may be determined by the Consistory. The Pastor shall keep a complete record of baptisms, confirmands, communicant members, new members, transfers, marriages, deaths, removal of names from the membership roll, and other necessary records.
3. All records shall be the property of the congregation; but upon dissolution of the congregation, its records shall become property of the Penn Northeast Conference.

4. No other pastor shall perform a religious ceremony in the church without the consent of either the duly-elected Pastor or the Consistory.
5. The congregation may, at its discretion, choose an Associate or Assistant Pastor(s).

D. RESIGNATION OR REMOVAL OF PASTOR:

1. When the Pastor submits his/her resignation due to retirement, ill health, or a call to another parish or vocation, the resignation shall be accepted by the Consistory. In order to terminate this relationship, the Pastor must give at least three months' written notice unless by mutual agreement the period is shortened.
 2. Should a request for the Pastor's resignation or removal be initiated by members of the congregation, a petition is needed with signatures of at least ten percent (10%) of the communicant members (good standing and inactive). The petition shall be presented to the Consistory, and Consistory shall call a Special Congregational Meeting for the purpose of voting on the issues raised in the petition. The Consistory shall call such meeting within three weeks from the date on which the petition is received. Notice of a Special Congregational Meeting shall be announced from the pulpit and published in the bulletin on the two consecutive Sundays preceding such meeting, and shall also be mailed to all communicant members (good standing and inactive) at least ten (10) days prior to the date of the meeting. A written agenda for the Special Congregational Meeting must accompany the notice which is mailed to all communicant members (good standing and inactive).
 3. In the event that there is a request for the Pastor's resignation, either by petition of the members as aforementioned, or upon the request of the Consistory, then the Consistory shall call a Special Congregational Meeting for a final decision on removal of the Pastor from office. The Penn Northeast Conference of the United Church of Christ shall be consulted prior to bringing the issue before the congregation at a Special Congregational Meeting. With a quorum of not less than ten (10%) percent of the communicant members (good standing and inactive) present, the vote of a two-thirds (2/3) majority of those communicant members (good standing and inactive) present and voting is needed to remove the Pastor from office. The termination date shall be determined by the Consistory, and subject to the reasonable approval of the Penn Northeast Conference, but, in any event, shall not be later than three (3) months following the vote to remove the Pastor.
- E. **DISCIPLINE:** Discipline of the Pastor shall be in conformity with the Constitution and By-Laws of the Penn Northeast Conference of the United Church of Christ. Within this church, the Consistory shall have jurisdiction over matters of discipline involving the Pastor. The Consistory shall seek the counsel of the Penn Northeast Conference in matters involving discipline and may ask the Pastoral Relations/Spiritual Council Committee for assistance.

ARTICLE VIII. PROPERTY

- A. **INCORPORATION:** This congregation shall be incorporated as a non-profit corporation under the title: "Ebenezer Church, a Congregation of the United Church of Christ," being located in New Tripoli, Lehigh County, and in accordance with the laws of the Commonwealth of Pennsylvania. The Consistory shall serve as the Board of Directors and Trustees of the corporation.

- B. **CORPORATE PRIVILEGES:** The congregation 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 congregation may undertake and may purchase, own, receive, hold, manage, care for and transfer, rent, lease, mortgage or otherwise encumber, sell, assign, transfer and convey such property for the general purpose 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 objectives and purposes of the congregation.
- C. **DISSOLUTION OF CHURCH PROPERTY:** Upon dissolution of the congregation, its assets and all property and interest 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 Penn Northeast Conference of the United Church of Christ.

ARTICLE IX. RULES OF ORDER

- A. **ROBERTS RULES OF ORDER REVISED** shall be the parliamentary authority for all matters of procedure not specifically covered by the Constitution and By-Laws of Ebenezer United Church of Christ.

ARTICLE X. AMENDMENTS TO THE CONSTITUTION

- A. Amendments to this Constitution may be made at a properly-noticed Annual Congregational Meeting or at a Special Congregational Meeting properly noticed for the purpose of voting on proposed Amendments to the Constitution.
 - 1. A written agenda for the meeting, and the text of the proposed Amendment(s) shall be announced from the pulpit and published in the bulletin on the two consecutive Sundays preceding the meeting, and shall be mailed to all communicant members (good standing and inactive) at least ten (10) days prior to the date of the meeting.
 - 2. With a quorum of not less than ten (10%) percent of the communicant members (good standing and inactive) present, the vote of a two-thirds (2/3) majority of those communicant members (good standing and inactive) present and voting is needed to pass any Amendment to this Constitution.

BY-LAWS

ARTICLE I. OBLIGATION TO THE UNITED CHURCH OF CHRIST

- A. A delegate and alternate from this congregation shall be elected each year by the Consistory to attend the meetings of the Penn Northeast Conference of the United Church of Christ.
- B. The congregation shall regularly contribute toward the support of the United Church of Christ and the Penn Northeast Conference according to the rules and actions of the General Synod and the Penn Northeast Conference of the United Church of Christ.

- C. This congregation, either through its Pastor or designated officer, shall make such reports to Penn Northeast Conference authorities as may be required.

ARTICLE II. OFFICIAL YEAR

- A. The Official Year of the congregation shall be from January 1 to December 31, inclusive.

ARTICLE III. AMENDMENTS TO BY-LAWS

- A. Amendments to this Constitution may be made at a properly-noticed Annual Congregational Meeting or at a Special Congregational Meeting properly noticed for the purpose of voting on proposed Amendments to the By-Laws.
 - 1. A written agenda for the meeting, and the text of the proposed Amendment(s) shall be announced from the pulpit and published in the bulletin on the two consecutive Sundays preceding the meeting, and shall be mailed to all communicant members (good standing and inactive) at least ten (10) days prior to the date of the meeting.
 - 2. With a quorum of not less than ten (10%) percent of the communicant members (good standing and inactive) present, the vote of a two-thirds (2/3) majority of those communicant members (good standing and inactive) present and voting is needed to pass any Amendment to these By-Laws.

AMENDMENT TO THE CONSTITUTION AND BY-LAWS OF EBENEZER UCC

A. AMENDMENT TO CHURCH CONSTITUTION AND BY-LAWS

“An Endowment Fund, whose purpose, governance, and operational procedures shall be defined by special resolution adopted by the congregation of Ebenezer United Church of Christ (hereinafter called the “CHURCH”), shall be established.”

B. IMPLEMENTATION OF THE ENDOWMENT FUND

“**WHEREAS**, Christian stewardship involves the faithful management of all the gifts God has given to humankind—time, talents, treasure, including accumulated assets; and,

WHEREAS, Christians can give to the work of the CHURCH through bequests in wills, trusts, charitable gift annuities, assignment of life insurance, and transfers of property (cash, stocks, bonds, real estate); and

WHEREAS, it is the desire of the congregation to encourage, receive and administer these gifts in a manner consistent with the loyalty and devotion to their faith expressed by the grantors and in accord with the policies of this congregation:

THEREFORE, BE IT RESOLVED, that this congregation, in the annual congregational meeting assembled on December 5, 2004, approve and establish, on the records of the CHURCH, a new and separate fund to be known as THE ENDOWMENT FUND (hereinafter called the "FUND") of Ebenezer United Church of Christ, New Tripoli, Lynn Township, Lehigh County, Pennsylvania;

BE IT FURTHER RESOLVED, that the purpose of this FUND is to enhance the mission outreach of the CHURCH beyond the general operation of the congregation (see Section C, Parts 2 and 3); that only a limited portion of the income generated by the FUND shall be used for the annual operating budget of the congregation, i.e., only in particular, temporary, difficult circumstances, and where integrity of gift restrictions permits, that, except where authorized otherwise in the terms of the gift, all principal amounts will be retained and only the income expended;

BE IT FURTHER RESOLVED, the Endowment Fund Committee (hereinafter called the COMMITTEE) shall be the custodian of the FUND;

BE IT FURTHER RESOLVED, that the following Plan of Operation sets forth the administration and management of the FUND."

C. PLAN OF OPERATION

1. The Committee

The Committee shall consist of five members, all of whom shall be communicant members in good standing of the CHURCH. Except as herein limited, the term of each member shall be three (3) years. Upon adoption of this resolution by the congregation, it shall elect members of the COMMITTEE: two (2) for a term of three (3) years; two (2) for a term of two (2) years; and one (1) for a term of one (1) year. Thereafter, at each annual meeting, the congregation shall elect the necessary number for a term of three (3) years. No member shall serve more than two (2) consecutive three (3) year terms. After a lapse of one (1) year, former COMMITTEE members may be re-elected. The pastor and the president/vice present of the Church's consistory shall be advisory members of the COMMITTEE. The consistory of the CHURCH shall nominate for the COMMITTEE and report at the annual congregational meeting in the same manner as for other offices and committees. In the event of a vacancy on the COMMITTEE, the consistory shall appoint a member to fill the vacancy until the next annual meeting of the congregation, at which time the congregation shall elect a member to fulfill the term of the vacancy.

The COMMITTEE shall elect from its membership a chairperson, FUND treasurer, and a recording secretary. The chairperson, or a designated member, shall preside at all COMMITTEE meetings. The FUND treasurer shall maintain complete and accurate books of accounts for the FUND and shall be empowered to co-sign checks and all other necessary documents on behalf of the congregation in furtherance of the purposes of the FUND. The president or the vice-president of the CHURCH'S consistory shall be a co-signer on all checks and necessary documents of the FUND. The recording secretary shall maintain complete and accurate minutes of all meetings of the COMMITTEE, and supply a copy thereof to each

member of the COMMITTEE and to the consistory. Each member shall keep these complete minutes to be delivered to his/her successor.

The COMMITTEE shall meet at least quarterly, or more frequently as deemed by it in the best interest of the FUND.

A quorum shall consist of three members. A majority present and voting shall carry any motion or resolution.

The COMMITTEE shall report on a quarterly basis to the consistory. At each annual meeting of the congregation, the COMMITTEE shall render a full and complete account of the administration of the FUND during the preceding year, prepared by a qualified person (who is not a member of the COMMITTEE).

The COMMITTEE may request other members of the congregation to serve as advisory members and, at the expense of Endowment Fund income, may provide for such professional counseling on investments, accounting or legal matters as it deems to be in the best interest of the FUND.

Members of the COMMITTEE shall not be liable for any losses which may be incurred upon the investments of the assets of the 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 Fund in which the member has direct or indirect financial interest and shall at all times refrain from any conduct in which his/her personal interests would conflict with the interest of the FUND.

All assets are to be held in the name of the Ebenezer United Church of Christ endowment Fund.

Recommendations to hold, sell, exchange, rent, lease, transfer, convert, invest, reinvest, and in all other respects to manage and control the assets of the FUND, including stocks, bonds, debentures, mortgages, notes or other securities, as in their judgment and discretion they deem wise and prudent, are to be made by the COMMITTEE for approval by the consistory, with subsequent execution by the required signators.

The COMMITTEE reserves the right to recommend to the consistory that the acceptance of a particular gift be declined due to its inappropriateness, restrictions placed upon it, or potential financial or legal liability to the congregation.

2. ACCUMULATION OF INCOME

The COMMITTEE shall determine what is principal and income according to accepted accounting procedures. The COMMITTEE may want to consider one of the following options for the initial purpose of building up the FUND:

Gifts to the FUND shall accumulate until the principal amount of \$100,000 has been received, or gifts to the FUND have accumulated for 5 years, after which the income generated from the investment of the principal shall be expended.

3. DISTRIBUTION OF ACCUMULATED INCOME

Income from the FUND shall be distributed annually and at such other times as deemed necessary and/or feasible. Provisions should be considered for distributing income to the various categories of mission and ministry in which the congregation is engaged that is not underwritten by annual giving and will serve as a means of extending and enhancing the church's program beyond the regular budget.

The COMMITTEE shall determine by PERCENTAGES the total amounts to be distributed in any one or more of the categories below:

Category 1. Christian Education

(Grants for special programs for children, youth and adults enabling them to grow in their understanding of the Christian faith. Scholarships and/or grants for the purpose of attending college and seminary to prepare for a church related vocation. Funding for church camping, retreats and leadership conferences.)

Category 2. Community Service and Outreach

(Programs and services through social service agencies, community action groups, and ecumenical agencies relating to the spiritual, social, and economic needs of persons in the community the church serves.)

Category 3. Wider Mission of the UCC

(Providing for humanitarian work in the USA and overseas in such areas as new church development, professional leadership, educational ministries, evangelism, and world mission.)

Category 4. Capital Improvements

(To provide for major capital improvements of facilities, building programs and debt reduction that cannot adequately be expected to be raised by annual giving and capital campaign efforts.)

Category 5. Annual Church Program

(In general, it is unwise for churches to use endowment funds in support of the annual operating budget. However, in some congregational settings such as inner city, annual giving does not suffice to fulfill the need to minister. Therefore use of endowment income can be more justifiably utilized for the annual, ongoing program of the congregation.)

The COMMITTEE shall consider all proposals for distribution of income under this plan, and make its recommendations for distribution to the consistory for approval. The manner by which proposals are to be prepared and submitted to the COMMITTEE, as well as the percentages by which funds are distributed, is to be reviewed periodically.

D. AMENDMENT OF THE RESOLUTION

“BE IT FURTHER RESOLVED, that any amendment to this resolution may be made at a properly-noticed Annual Congregational Meeting or at a Special Congregational Meeting properly noticed for the purpose of voting on proposed amendments.

With a quorum of not less than ten (10%) percent of the communicant members (good standing and inactive) present, the vote of a two-thirds (2/3) majority of those communicant members (good standing and inactive) present and voting is needed to pass any amendment to this resolution.

E. DISPOSITION OR TRANSFER OF FUNDS

“BE IT FURTHER RESOLVED, that in the event Ebenezer United Church of Christ ceases to exist either through merger or dissolution, disposition or transfer of the FUND shall be at the discretion of the governing body in conformity with the approved congregational constitution and in consultation with the UCC Conference staff to which this congregation belongs at such time. Consultation with the UCC may be desirable for continuation of Endowment Fund obligations.”

Further, any disposition of the FUND must be to a qualified not-for-profit religious organization or charity.