

CONSTITUTION AND BY-LAWS

FIRST CONGREGATIONAL CHURCH, INC. ESSEX, MASSACHUSETTS

Adopted October 28, 1949
Revised November 26, 1962
Revised April 23, 1970
Revised September 15, 1983
Revised May 16, 1991

Revised, May 18, 2000
(BY-LAWS: Article III-Officers and Committees, Sec. A – Para. 6)

Revised, May 15, 2003
(BY-LAWS: Article III-Officers and Committees, Sec. B – Para. 1,2,3,7)
Revised November 7, 2007
Revised May 16, 2024

CONSTITUTION

Article I – Name

This Church was incorporated under the laws of the Commonwealth of Massachusetts on October 28, 1949. The name of this Corporation shall be the First Congregational Church of Essex.

Article II – Statements

Mission Statement –

Relying on the grace of God and the power of the Holy Spirit, the First Congregational Church of Essex seeks to:

Bring people into a *relationship* with Jesus Christ,
Gather them together to *worship* Jesus Christ,
Help them to *live like* Jesus Christ, and
Equip them to *serve* Jesus Christ.

Vision Statement –

Receiving and Extending the Hospitality of Jesus as we connect with God, one another, and our Community.

Article III – Polity

The government of this Church is vested in its members. It is subject to the control of no other ecclesiastical body but acknowledges the fellowship of all Christian believers of whatever church affiliation. It recognizes and sustains the obligations of mutual counsel and cooperation which operate with them in the work of the Kingdom of God.

Article IV – Doctrine

This Church recognizes the Bible as the essential rule of faith and practice and holds that living in accordance with the teachings of Jesus Christ is the true test of fellowship. Declaring our steadfast allegiance to the faith which our fathers confessed, which from age to age has found its expression in the historic creeds of the Church Universal and our communion and affirming the liberty of our churches and validity of our ministry, we hold to the unity and catholicity¹ of the Church of Christ, and will unite with all its branches in hearty cooperation; and will earnestly seek so far as in us lies, that the prayer of our Lord for His disciples may be answered, that they all may be one.

We hold to the autonomy of the local church and its independence of all ecclesiastical control.

We cherish the fellowship of the churches, united in district, state and national bodies for counsel and cooperation in matters of common doctrine.

The following statement of faith, therefore, is not a test but an expression of the spirit in which the church interprets the Word of God.

Statement of Faith

I believe in God, the Father Almighty, Creator of heaven and earth, and in Jesus Christ, his only Son, our Lord. He was conceived by the power of the Holy Spirit and born of the Virgin Mary. He suffered under Pontius Pilate, was crucified, died and was buried. He descended to the dead. On the third day he rose again. He ascended into heaven and is seated at the right hand of God the Father Almighty. He will come again to judge the living and the dead.

I believe in the Holy Spirit, the holy catholic church, the Communion of Saints, the forgiveness of sins, the Resurrection of the body, and the Life everlasting. Amen.

We align ourselves with the Reformation Branches of the Church in holding the Sacraments of Baptism and the Lord's Supper as essential for life in the Christian community. By this affirmation of only two sacraments, we do not mean to imply that there are not other sacraments in the life of the Christian community, or that the other sacraments are invalid. On the contrary, we do affirm and encourage participation in Church sacraments, or privileges, as seem valuable for life in the Christian community.

1. The Lord's Supper shall be administered by a duly ordained minister of the Church of Jesus Christ or his/her designee with the assistance of the members of the Diaconate.

¹Definitions: Catholic. All inclusive, universal.

Catholicity. State of being catholic. Comprehensive quality, universality.

2. Whenever possible, Baptism should be administered by any member of the Church of Jesus Christ in time of emergency when an ordained minister is not available.

Article I – Membership

A. Classes of Membership

1. **Covenant Members:** Covenant members are those who have publicly professed their purpose to strive to do the will of God under the leadership of Jesus Christ, who have been received upon recommendation of the Diaconate and have given assent to the covenant of the Church; by confession of faith and baptism (if not previously baptized) or by presentation of satisfactory letter of transfer from another Church; or, if a letter is not available, on re-affirmation of faith.
2. **Junior Membership:** Junior Members are those persons between the ages of 12 and 18 who have fulfilled the requirements in Paragraph A, 1, but are not yet adults in the eyes of the law. Upon attaining 18 years of age, and reaffirmation of their continuing commitment to the Statement of Faith, Junior Members shall become Covenant Members.
3. **Absent Members:** Absent Members are expected to communicate with the Church at least once a year. Upon their failure to do so for two years, the Church may vote to transfer their names to the Inactive List. Letters of transfer shall not be granted to such persons without stating the relations they sustained to the Church at the time.
4. **Inactive Members:** Inactive Members of the Church shall be those members whose addresses have been long unknown, or who for a period of two years, in spite of kindly approaches, have not communicated with the Church or contributed to its support. Such members may be transferred, by action of the Diaconate after conferring with the Treasurer, to an inactive list at the Annual Meeting.
5. **Termination of Membership:** Any member in good and regular standing who desires a letter of transfer and recommendation to another church, upon request, is entitled to receive it by vote of this Church. General letters addressed to no particular church shall not be granted.
6. **Duties:** Members are expected to live ever-increasingly the Christian life; to attend regularly the services of the Church; to partake of the sacraments; to give systematically for its support and its benevolences; to share in its organizational work; and to seek diligently the spiritual welfare of all men and women.

7. **Chapter 67, Section 52 of the General Laws of Massachusetts:** “None but members of such Church shall be members of such Corporation, and only resident members of full age shall vote...”

Article II - Religious Services

A. Worship

1. Services of worship shall be held at given hours each Sunday, except when temporarily suspended by vote of the Church, or by extreme weather decided by the Pastor consulting with a Deacon and a Trustee, or by other extenuating circumstances.
2. The sacrament of the Lord’s Supper shall be celebrated on the first Sunday of each month and at such other times as the Minister and Diaconate may appoint.
3. The sacrament of Baptism shall be administered at such times as the minister and the Diaconate may appoint.

B. Education

1. This Church shall conduct a Church School. It shall be the purpose of the Church School to lead its members into an increasing experience of fellowship with God as emphasized in the Holy Scriptures in both the Old and New Testaments and in the development of a character which shall be genuinely and consistently Christian in all human relationships. It will endeavor to stimulate involvement in the Church and its history and development, and increase the desire and ability to participate in its life and work.

C. Other Services

1. Other services for worship, inspiration, prayer, study and fellowship may be held as determined by the Church.

Article III - Officers and Committees

A. Officers

The Officers of this Church shall be Covenant Members and shall consist of a Minister, Youth Minister, Clerk, Treasurer, Assistant Treasurer(s), and a Moderator.

1. All officers, except the Minister and Youth Minister, shall be elected at the Annual Meeting.

All officers shall serve one-year terms and may be re-elected, but not for more than five consecutive terms. Any other duly-elected committee or board member elected for more than one year at a time may not serve more than two consecutive terms.

2. Any vacancies may be filled temporarily by the Church Council.
3. **Minister:** A minister is chosen or removed by ballot at a meeting of the Church called for that purpose in the manner provided for in the call for the Annual Meeting, and s/he shall serve until the relationship between Minister and Church shall be terminated, or on a notice of Ninety (90) days by either party. S/he shall be installed, or recognized, by the Essex Association, if so voted by the Church.

The Minister shall have in his/her charge the spiritual welfare of the Church with the assistance of the Diaconate. S/he shall seek to enlist all persons as followers of Christ, preach the gospel, administer the sacraments, have under his/her care all services of public worship, and administer the activities of the Church in cooperation with the various boards and committees. S/he shall assume the duties of pastoral calling and pastoral counseling and all other duties which may seem necessary in furthering Christ's Church in this community.

4. **Youth Minister.** It shall be the duty of the Youth Pastor to provide Christian education and spiritual direction for the youth of the Church by providing youth group meetings, Bible studies, spending individual time with the youth, and any other method he/she deems appropriate. He/she shall also reach out to the local community through the above-activities. The Youth Pastor will meet regularly with the senior pastor, other mentors, and the Youth Advisory Council to clarify mutual expectations and to support him/her in his/her ministry.
5. **Clerk:** A Clerk to be elected at each Annual Meeting to serve for one year and not to exceed five consecutive years, and shall be sworn to the faithful performance of his/her duties. S/he shall keep an accurate record of all business transacted by the Church. S/he shall keep a register with addresses of the members and modes of their reception and removal, whether by dismissal, death or otherwise. S/he shall keep a record of all baptisms, marriages and funerals performed in the church or parsonage and, when performed in any other place, by a pastor representing this Church. S/he shall record the minutes of the Church Council meeting, shall issue letters of transfer as directed by the Church notifying the churches to which they are addressed, preserve on file all communications and written official reports, notify all persons elected to offices and committees, give legal notices of all meetings when such notices are necessary, conduct all correspondence so far as this is not otherwise provided for, and perform such other duties as prescribed by law.
6. **Treasurer:** A Treasurer to be elected at the Annual Meeting to serve for one year, and shall be sworn to the faithful performance of his/her duties. S/he shall also serve as a member of the Board of Trustees.

S/he shall receive all moneys that shall be contributed for current expenses and benevolence of the Church, and shall deposit those moneys in such depository as the Trustees shall order. S/he shall pay the bills of the Church as ordered by the

Board of Trustees. S/he shall keep an accurate account of all receipts and donations. S/he shall receive donations and bequests to the Church, and s/he shall, when requisite, sign proper receipts therefore.

S/he shall also have the custody of all papers relating to the property of the Church, and s/he shall give such bond for the faithful discharge of his/her duties as the Trustees may require, which bond shall be in the custody of the Clerk.

S/he shall have power, subject to the direction of the Trustees, to invest and reinvest the money and funds belonging to the Church.

7. **Assistant Treasurer(s):** An Assistant Treasurer(s) shall be elected at the Annual Meeting to serve for one year and no more than five consecutive terms.
8. **Moderator:** The Moderator shall preside at all business meetings of the Church. S/he shall be elected annually and his/her tenure of office shall continue until the final adjournment of the next Annual Meeting following his/her election.
9. **Deputy Moderator:** At the Annual Meeting, the Moderator may appoint a member as Deputy Moderator to assist the Moderator or to serve as Moderator with all the powers and duties of the office in the event of a mid-term vacancy in the office or the absence, disability or recusal of the Moderator. The appointment of a Deputy Moderator shall be subject to ratification by congregational vote after the appointment.

B. Committees and Boards

All committees and boards shall make a full report of their activities to the Clerk by May 1.

1. **Board of Trustees:** A Board of Trustees shall consist of the Treasurer and at least five members. Each member shall be elected for a term of three years, and their election so arranged that the terms of two shall expire annually. A member may serve two consecutive terms. All members of said Trustees shall be Covenant Members of the Church.

The Trustees have charge of the financial interest of the Church and its property, and they shall see that all property of the Church is well cared for.

They shall have the power to sell, lease, or mortgage real estate of the Church after first having secured authorization to do so from the Church at a regular meeting, duly called for the consideration of the subject. Such authorization shall require a two-thirds vote of the Covenant Members of the Church who are present at such regular meetings.

This Board shall administer, according to the requirements of the respective legacies and donations, all trust funds of the Corporation and may appoint as agent and custodian of any or all such funds such as National Bank or Trust Company or Trustees of the Massachusetts Congregational Fund, selected by the unanimous vote of all of the Trustees, which agent shall have full power to receive, hold and sell any or all property received by said agent from the First Congregational Church, Inc. of Essex by gift, devise or bequest.

Such agent may invest and reinvest property in its possession in United States Government Bonds and bonds of the Commonwealth of Massachusetts or any city therein, or in such other property as may be permitted by the Trustees.

No investment shall be made without written consent of a majority of the Trustees, and such agent may resign at any time upon thirty days notice to all of the said Trustees.

When necessary to meet the requirements of a gift of bequest, and when otherwise so voted by the Corporation, special Trustees may be chosen for specific purposes.

They shall prepare and submit to the Annual Meeting the proposed budget for the ensuing year, make provisions for the financial requirements of the Church, and conduct the annual solicitation of funds for the Church.

2. **Diaconate:** The committee shall consist of at least five members. Each member shall be elected for a term of three years, and their elections so arranged that the terms of two members shall expire annually. A member may serve two consecutive three-year terms. All members of said Committee shall be Covenant Members of the Church.

They shall be Covenant Members and assist in administering the sacraments of the Lord's Supper and Baptism, shall aid in furthering the spiritual purposes of the Church, especially by visiting among the homes of the Church, specifically among the ill and shut-in, and new members of the community. They are to aid in the preparation for the administration of the several sacraments. The entire Board shall assist in caring for the poor, the sick, the sorrowing, the indifferent, and the stranger. They shall assist the Minister in the examination of applicants for membership in the Church on confession of faith and shall vote on their fitness therefore. They shall recommend to the Church for membership any applicant who meets with their approval. They shall be responsible for matters pertaining to the spiritual welfare of the Church. They shall be responsible for any funds that have been left in the care of the Diaconate.

3. **Missions Committee:** The committee shall consist of at least five members. Each member shall be elected for a term of three years, and their elections so

arranged that the terms of two shall expire annually. All members of said Committee shall be Covenant Members of the Church.

They shall work with the Minister to foster and develop an awareness of the Church in this community and other communities throughout the world and deepen within the congregation the awareness of the mission of the Church.

They shall cooperate with the Minister and various organizations to promote educational and action programs in the interests of bringing Christian principles to bear upon social problems and needs.

4. **Music Committee:** Shall consist of three members and shall be elected at each Annual Meeting to serve for one year. They shall provide for the leadership of the Church music, keeping in mind that music has had in the past, and should have in the future, a specific ministry. They shall cooperate with the musical staff and the Minister in making the Church services as meaningful as possible.
5. **Historical Committee:** Shall consist of two members to be elected at each Annual Meeting to serve for a one-year term. It shall be the work of this committee to foster an intelligent interest in the history of this Church and to collect and preserve articles connected with its history, keeping in mind its heredity and its place in the community in the past and the present.
6. **Christian Education Committee:** Shall consist of at least five members. Each member shall be elected for a term of three years, and their elections so arranged that the terms of two members shall expire annually. A member may serve two consecutive three-year terms. All members of the said Committee shall be Covenant Members of the Church.

The committee shall assist the Pastor in filling all vacancies of the Church School curriculum. It shall act as an advisory committee for religious educational work in all organizations of the Church and shall submit a budget for its expenses to the Board of Trustees.

7. **Church Council:** Shall include the Minister, Moderator, Clerk, Treasurer, and the Chairperson of the following Committees: the Diaconate, the Board of Trustees, the Christian Education Committee and Missions Committee. In the absence of the Treasurer, the Assistant Treasurer may attend any meeting of the Church Council.

Duties: It shall be the function of the Church Council to envision the entire Church program and to promote the general efficiency of the Church, to advise the Minister concerning the general direction of the activities, and to cooperate with him/her in forming and carrying out a well-rounded program.

At least forty-five days prior to the Annual Meeting, it shall elect a Nominating Committee which shall present to the Annual Meeting of the Church a list of nominees for the Offices of the Church.

The Church Council may constitute committees according to its experience and is intended to be a strong force in the management of the Church through the years.

They shall fill any vacancies which may occur during the year; these appointments to terminate at the next Annual Meeting.

In the absence of a Minister, the Council shall assume the responsibility for the continued efficient operation of the Church.

The Church Council may function as a Court of Appeals for any organization, board, or individual within the Church questioning actions or proposals of any organizations, boards, or individuals; and, if the Council so votes, the issue may be taken to the Church meeting for a final decision.

The Church Council shall sit as a Council on Christian ethics and practices, whenever occasion requires it. It may consider and decide any question of Christian ethics and practices that may be called to its attention in writing by any member of the Church.

The meetings of the Council shall be open to the members of the Church who may take part in the discussion, but only members of the Council shall have a vote.

They shall have control over no monies unless so voted by a church meeting for specific purposes.

The Council shall be responsible for a revision of these By-laws as need becomes apparent, and for having them reviewed every five years.

8. **Delegates:** None necessary at this time.

9. **Nominating Committee:** A Nominating Committee of five members, one of whom shall be the Church Clerk, and the remainder representative of the whole Church in qualities of age and sex, shall be appointed by the Church Council at least forty-five days prior to the Annual Meeting. This committee shall present to the Annual Meeting of the Church a list of nominations for the Church officers and committees.

10. **Staff Relations Committee:** A Staff Relations Committee will consist of three Covenant Members, each elected for a three-year term, with the term of each member to be arranged so that only one term expires annually. The purpose of

this committee shall be to facilitate communication between the congregation and the staff of the Church.

C. Other Officers and Committees

1. The Church shall elect such other officers and committees as may be needed to carry on its work effectively.
2. **Auditor:** The Trustees shall appoint an Auditor to audit the accounts of the Treasurer annually.

Article IV – Elections

- A. These Officers:** Moderator, Clerk, Treasurer, Assistant Treasurer, must be separately balloted upon.
- B. Except** as hereinbefore provided, the Clerk may, with the consent of the Church if not more than one nomination to a particular office is made, cast one ballot for the election of the persons nominated.

Article V – Business Meeting

- A. The Annual Meeting:** The Annual Meeting of this Church shall ordinarily be held on the third Thursday in May to elect officers and transact any other business that may legally come before it.
1. The reports of all officers, boards, standing committees and auxiliary organizations shall be made in writing and a copy shall be filed with the Clerk on or before May 1st in order that the reports may be prepared in printed form for the meeting.
 2. A different date for the meeting may be selected if either the Church Council or Trustees and the Church shall so decide.
 3. The call for the meeting, signed by the Clerk and including the articles to be taken up, shall be posted at the door of the Church at least five days before the date of the meeting, and notice shall be given from the pulpit on the Sunday preceding the meeting.
 4. The business of each Annual Meeting of the Church shall be preceded by prayer.
- B. Special Meeting:** A Special Meeting may be called by the Clerk whenever the occasion shall require, and s/he shall call such a meeting when a request in writing is presented by the Moderator, Diaconate, Trustees, Church Council, or ten or more Covenant Members,

notice thereof being given in the manner provided for the Annual Meeting. In case of the absence or disability of the Clerk, such meetings may be called by the Moderator.

- B. Quorum:** Quorum for the transaction of business shall be fifteen percent of the number of Covenant Members of the Church, but a smaller number may adjourn a meeting.

Article VI – Fiscal Year

The fiscal year of this Corporation shall begin May 1st as voted at the October 15th, 1987 Church Meeting.

Article VII – Vacancies

- A.** When a vacancy occurs in the office of Minister, the Church Council shall appoint a committee whose duty it shall be to see that the pulpit is supplied, and to recommend for the consideration and action of the Church such candidate, or candidates, for the office of Minister as in the judgment of the Committee would worthily fill the office. This committee shall be called the Pastoral Search Committee.
- B.** Vacancies occurring in any other office during the year shall be filled by the Church Council, the tenure of officers so appointed to continue only until the next Annual Meeting.
- C.** Notwithstanding any other provisions of this By-law, the tenure of any officer of the Church shall continue until his/her successor shall have been elected.

Article VIII – Amendments

These By-laws may be amended by a two-thirds vote of the members present and voting at the Annual Meeting of the Church, or at a special meeting, due notice for the proposed amendments having been given in the call for the meeting.

Article VIII – Article of Dissolution

Upon dissolution of the Church, and after payment of all debts and obligations, all remaining assets may be distributed to one or more nonprofit corporations that best accomplish the general purpose for which this Church was originally organized as recommended by the Church Council and voted on by the congregation.