

16. Wentz's UCC Church Constitution

Approved October 25, 1970
As Amended March 5, 1995
As Amended November 23, 1997
As Amended March 26, 2000
As Amended February 29, 2004

ARTICLE I. NAME

1. This church and congregation shall be known as "Wentz's United Church of Christ, Worcester, PA ", and the corporate name in the charter being "The German Reformed Church at Wentz's".

ARTICLE II. PURPOSE

2. The avowed purpose of this church 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 church and the Church Universal; to render loving service toward humanity; and to strive for righteousness, justice, and peace.

ARTICLE III. POLITY

1. This church shall be a part of the United Church of Christ, and it shall sustain that relationship to the United Church of Christ described in those portions of the Constitution and By-Laws of the United Church of Christ adopted July 4, 1961 relating to local churches.
2. The government of this church 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.

ARTICLE IV. FAITH AND COVENANT

Faith - This church acknowledges as its sole head, Jesus Christ, the Son of God and Savior of humanity. It acknowledges as brothers and sisters in Christ all who share in this confession. It looks to the word of God in the scriptures, and to the presence and power of the Holy Spirit, to prosper its creative and redemptive work in the world. It claims as its own the faith of the historic church expressed in the ancient 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. In accordance with the teaching of our Lord and the practice prevailing among evangelical Christians, it recognizes two sacraments: Baptism and the Lord's Supper or Holy Communion.

One expression of this faith is:

STATEMENT OF FAITH

"We believe in you, O God, the Eternal Spirit, God of our Savior Jesus Christ and our God, and to your deeds we testify:

You call the worlds into being,
create persons in your own image,
and set before each one the ways of life and death.

You seek in holy love to save all people from aimlessness and sin.

You judge people and nations by your righteous will
declared through prophets and apostles.

In Jesus Christ, the man of Nazareth, our crucified and risen Savior,
you have come to us and shared our common lot,
conquering sin and death and
reconciling the world to yourself.

You bestow upon us your Holy Spirit,
creating and renewing the church of Jesus Christ,
binding in covenant faithful people of all ages, tongues and races.

You call us into your church
to accept the cost and joy of discipleship,
to be your servants in the service of other,
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.

You promise to all who trust you
forgiveness of sins and fullness of grace,
courage in the struggle for justice and peace,
your presence in trial and rejoicing,
and eternal life in your realm which has no end.

Blessing and honor, glory and power be unto you. Amen."

Covenant - We covenant one with another to seek and respond to the word and the will of God. We purpose 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 the truth, justice and peace. 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

1. All Persons shall be members of this congregation and shall be entitled to all the privileges and rights thereof, who have been received into its communion by confirmation, by certificate, by renewal of profession, or such other modes as may be prescribed by the Constitution of the United Church of Christ in the United states. "In accordance with the gospel covenant which binds into a unity 'faithful people of all ages, tongues and races', membership is open to all without regard to race or color".
2. Members shall pledge themselves to attend the regular worship of the church and the celebration of the Lord's Supper; to live the Christian life; to share in the life and work of the church; to contribute to its support and benevolence; and to seek diligently the spiritual welfare of the membership and the community.
3. Any member may, on one's own request, be granted a letter of transfer. If wishing to join a body not in fellowship with this church, one may be dismissed with a certificate of church membership.
4. If, because of change of faith or for other reasons not involving unchristian conduct, a member requests in writing to be released from a member's obligations, the church shall patiently endeavor to secure the members' 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.
5. If a member shall neglect for a period of one year to partake of the Holy Communion, or to contribute to the support of the church, said member shall be admonished by the the Elders. If after admonition, one continues in such neglect of duty for another year, the Elders may notify the member that said member is no longer in active standing, and the member will be placed on the inactive roll. If the inactive member shall express a desire to be reinstated and shall promise to attend to the duties of membership the Elders may reinstate the inactive member to active status. The church shall report to conference membership based on the active role.

ARTICLE VI. GOVERNING BODY

1. The governing body of this church shall be the active membership assembled in congregational meeting. The vote of a majority of members present at the meeting shall be the action of the church. A quorum of 10% of the active members shall be present.

ARTICLE VII. THE CONSISTORY

1. The consistory shall be the executive body of this church. It shall be composed of six (6) elders, six (6) deacons, five (5) trustees, a treasurer, recording secretary, financial secretary and two members of the Committee on Christian Education who are also members of the church. The Pastor(s) sit ex-officio on the Consistory. One half (1/2) of its members shall constitute a quorum.
2. The consistory shall organize itself each year, electing a president and vice president. The president shall appoint an assistant treasurer, and an assistant financial secretary from the deacons.
3. The president shall appoint such boards or committees as will serve to further the purpose of the church. The President shall appoint the following standing committees:
 - a. Reporting to the Elders:

Sunday Church Nursery	Membership
Worship	Ushers
Visitation	
Flowers	
Altar	
Music	
 - b. Reporting to the Deacons:

Auditing	
Newsletter	
Finance	
 - c. Reporting to the Trustees:

Investment Advisory Committee	Historical
Property Committee	Parsonage
Cemetery	
 - d. Reporting to the Consistory:

Nominating Committee	Wentz's Weekday Nursery School Board
Women's Guild	Church and Ministry
Men's Brotherhood	
4. An election for officers of the Consistory shall be held annually at the time of the annual congregational meeting, and those chosen shall serve until their successors are elected and installed. Two (2) elders, two (2) deacons and one or two (1 or 2) trustees shall be chosen.
 - a. The term of office of trustee shall be three (3) years, and the one to be elected to this office shall be eligible to succeed himself or herself no more than three (3) terms.

- b. The term of office of elder shall be three (3) years, and the one to be elected to this office shall be eligible to succeed himself or herself no more than one (1) term.
- c. The term of office of deacons shall be three (3) years, and the one to be elected to this office shall be eligible to succeed himself or herself no more than one (1) term.
- d. The term of office of the members representing the Committee on Christian Education shall be two (2) years, and shall be able to succeed himself or herself no more than two (2) times for a total of six (6) years.

The treasurer, recording secretary and financial secretary shall be elected for one (1) year. All elections for officers, shall be by ballot or acclamation if so desired by the congregation. A majority of those voting shall be required for election.

- 5. Nominations for officers shall be made by the consistory, which shall present the name of the active church member for each office to be elected. No more than one person from a family is eligible to serve on the consistory at the same time. By family is meant husband, wife, father, mother, sons, daughters, brothers, sisters and in-laws of the same. No employee of the church shall be eligible to serve on consistory. Public notice of the nominations shall be given from the pulpit for at least two (2) Sunday services before election. At the congregational meeting the congregation may nominate additional candidates for each office. Nominees proposed from the floor must be present.
- 6. When newly elected, the Elders and Deacons shall be publicly ordained or installed in their respective offices. Trustees and other officers shall be installed.
- 7. Should any of the offices become vacant by death, removal, refusal or otherwise, between the regular times for holding the elections, the consistory shall have the power to fill such vacancies until the next annual election of officers. Should any officer, decline to serve and refuse to resign, the consistory shall have the power to declare such office vacant, and in like manner fill it until the next annual election.
- 8. The consistory shall instruct the proper officers on all fiscal matters including the payment of bills with monthly review by the consistory.
- 9. The consistory shall not authorize any expenditure in excess of \$5,000 without approval of the congregation unless such expenditure is included in the budget or unless such expenditure is required to prevent danger to property or person.
- 10. The consistory shall hold regular monthly meetings. They may also hold special meetings at other times as occasion may require. All special meetings shall be called by the president or vice president.

11. It shall be the duty of the Elders, in conjunction with the pastor, to watch faithfully over the spiritual interests of the congregation, to maintain order in the house of God, to exercise ecclesiastical discipline and to take heed that Christian order be maintained in all things, to aid in the visiting of the sick, the needy and the infirm members of the congregation, and to contribute according to their ability to the instruction, improvement and consolation of the members. They shall provide the elements for the Lord's Supper.
12. It shall be the duty of the Deacons to cooperate with the other officers of the congregation to promote its general welfare, to gather the offerings for benevolence as designated by the Synod, to collect the contributions designed to meet the needs of the congregation in a systematic manner, to distribute the money designated for the poor of the congregation, and to provide for the pastor's salary under the direction of the consistory.
13. It shall be the duty of the Trustees to look after the property of the congregation, both personal and real, to keep the buildings in proper repair and in a neat appearance, to provide for the heating of the building and to have it in proper condition for the use of the congregation in its various services by the employment of a competent sexton, and to have the property fully covered by insurance. They shall control the care of the cemetery and sale of lots, and shall control care fund monies, legacies, and investments with the final approval of the consistory.
14. The duties of the representatives of the Committee of Christian Education shall be to represent the programs, curriculum, activities and events of the Christian Education Committee to the Consistory for its review.
15. It shall be the duty of the treasurer to keep an accurate and faithful account of all monies received and paid out, and not disburse any funds unless properly authorized. The Treasurer shall submit monthly a detailed report to the consistory and annually to the congregation. In the absence of the treasurer or in case of the treasurer's disability, the assistant treasurer shall discharge the duties of the treasurer until a successor has been named.
16. It shall be the duty of the recording secretary to keep an accurate record of the minutes of the various meetings of the consistory and all congregational meetings in a book provided by the consistory for this purpose and to faithfully perform the duties generally pertaining to such offices. In conjunction with the pastor, the recording secretary shall keep an accurate record of all baptisms, confirmations, communicants, receptions by certificate, renewals of profession, dismissals, erasures of names, suspensions, excommunications, marriages and deaths. The record shall be the property of the congregation.
17. It shall be the duty of the financial secretary to receive the contributions of each and every member of the congregation for both congregational purposes and the benevolent account, to keep a complete and accurate account of said contributions in

a record provided by the consistory for this purpose and submit a monthly report to the consistory, and to promptly turn over to the treasurer all monies received and take receipt for the same. In the absence of the financial secretary or in case of the financial secretary's disability, the assistant financial secretary shall discharge the duties of the financial secretary until a successor has been named.

ARTICLE VIII. PASTOR

1. It shall be the duty of the pastor to conduct the public worship in the sanctuary, to preach the gospel, to instruct and catechize the young, to dispense the holy sacraments, to exercise pastoral care of the congregation, to administer the Christian discipline in conjunction with the elders, and to perform all other duties belonging to a minister of Jesus Christ.
2. When the pastor shall resign his/her charge, or when three-fourths of the active members of the congregation shall make a written request to the pastor for his/her resignation, the prescribed regulations of the Constitution of the United Church of Christ in the United States shall be followed to choose a successor. The consistory shall have the power to act upon the resignation of the pastor.

ARTICLE IX CHRISTIAN EDUCATION

1. Responsibility for planning and administering the educational work of Wentz's United Church of Christ shall be vested in a committee on Christian education which shall be responsible to the church through the consistory.
2. The committee on Christian education shall consist of six (6) to eight (8) members, elected by the Congregation at the annual congregational meeting for a three (3) year term. Two members of this committee will be nominated to serve on Consistory, by the committee. Their names will be submitted to the Congregation at the annual meeting for approval, along with the other nominees for Consistory. At the first meeting of the committee after the annual congregational meeting, the committee shall organize itself with the Director of Christian Education and support staff.
3. The general responsibility of the committee on Christian education shall include the following:

Sunday Church School	Cradle Roll
Vacation Bible School	
Youth Fellowship	
Library	
Leadership Training	
Representation in Cooperative Christian Education enterprises	

4. It shall be the duties of:
 - a. The pastor, as minister of the church, shall be the spiritual leader of the church school. The Pastor shall be responsible for the general administration of the whole program of Christian education as planned and directed by the committee on Christian education. The Pastor shall supervise the Director of Christian Education
 - b. The Director of Christian Education shall be the chief executive and administrative officer of the Sunday church school and shall be responsible to the committee on Christian education. The Director will report directly to the Pastor. The Director is a staff position at Wentz's.
 - c. The Chairperson of the Christian Education Committee will be responsible for coordination of all activities with the support of the committee.
5. Sunday School Teachers shall be appointed annually by the Committee on Christian Education.
6. Income and Expenditures of each organized group responsible to the Christian Education Committee shall be deposited in and withdrawn from the church treasury.

ARTICLE X PROPERTY

1. 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 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.
2. Any sale of Real Estate, with the exception of Cemetery Lots, shall require the approval of the congregation at a congregational meeting with a 2/3 affirmative vote of the active members present provided there are no less than 20% of the number of active members thus assembled.
3. 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 Pennsylvania Southeast Conference of the United Church of Christ.

ARTICLE XI. CONGREGATIONAL MEETINGS

1. The annual meeting of the church shall be held in the month of February. At this meeting, the consistory, the officers of the church, the pastor and all church organizations shall submit their annual reports in writing.
2. Special congregational meetings may be called by the consistory or by a Petition to the consistory signed by not less than ten (10%) percent of the active members. The consistory shall call such meetings within three weeks from receipt of the petition.
3. Every election or congregational meeting, called to decide matters pertaining to the interests of the congregation, shall be announced from the pulpit at two (2) previous Sunday services and every member notified by congregational letter.
4. Every active member of the congregation, shall be entitled to vote at all elections for pastor and officers and on any question submitted to the congregation for action.

ARTICLE XII. RULES OF ORDER

1. Robert's Rules of Order, newly revised, shall be the parliamentary authority for all matters of procedure not specifically covered by this constitution.

ARTICLE XIII. LIABILITY AND INDEMNIFICATION

1. DIRECTOR'S LIABILITY

A. Each elder, deacon, trustee and officer (herein referred to as a consistory person), of Wentz's United Church of Christ (herein referred to as the church), shall stand in a fiduciary relation to the church and shall perform his/her duties as a consistory person, including his/her duties as a member of any committee of the consistory upon which he/she may serve, in good faith, in a manner he/she reasonably believes to be in the best interests of the church, and with such care, including reasonable inquiry, skill and diligence, as a person of ordinary prudence would use under similar circumstances. In performing his/her duties, a consistory person shall be entitled to rely in good faith on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared by any of the following:

- (1) One or more officers or employees of the church whom the consistory person reasonably believes to be reliable and competent in the matters presented.
- (2) Counsel, public accountants or other persons as to matters which the consistory person reasonably believes to be within the professional or expert competence of such person.

- (3) A committee of the consistory upon which he/she does not serve, duly designated in accordance with law, as to matters within its designated authority, which the consistory person reasonably believes to merit confidence.

A consistory person shall not be considered to be acting in good faith if he/she has knowledge concerning the matter in question that would cause his/her reliance to be unwarranted.

B. In discharging the duties of their respective positions, the consistory, committees of the consistory and individual consistory persons may, in considering the best interests of the church, consider the effects of any action upon employees, upon suppliers and members of the church and upon communities in which offices or other establishments of the church are located, and all other pertinent factors. The consideration of those factors shall not constitute a violation of this section.

C. Absent breach of fiduciary duty, lack of good faith or self-dealing, actions taken as a consistory person or any failure to take any action shall be presumed to be in the best interests of the church.

(1) A consistory person of the church shall not be personally liable for monetary damages as such for any action taken, or any failure to take any action, unless:

(a) A consistory person has breached or failed to perform the duties of his/her office under this section or as might be otherwise set forth under Section 83633 of Title 42 of the Pennsylvania Consolidated Statutes Annotated.

(b) The breach or failure to perform constitutes self-dealing, willful misconduct or recklessness.

(c) The provisions of this section shall not apply to:

(1) The responsibility of liability of a consistory person pursuant to any criminal statute; or

(2) The liability of a consistory person for the payment of taxes pursuant to local, state or federal law.

2. INDEMNIFICATION OF DIRECTORS

A. The church shall indemnify each of its consistory persons and employees whether or not then in service as such (and his/her executor, administrator and heirs), against all reasonable expenses actually and necessarily incurred by him/her in connection with the defense of any litigation to which the individual may have been a party because he/she is or was a consistory person or employee of the church. The individual shall have no right to reimbursement, however, in relation to matters as to which he/she has been adjudged liable to the church for negligence or misconduct in the performance of his/her duties, or was derelict in the performance of his/her duty as consistory person or employee by reason of willful misconduct, bad faith, gross

negligence or reckless disregard of the duties of his/her office or employment. The right to indemnity for expenses shall also apply to the expenses of suits which are compromised or settled if the court having jurisdiction of the matter shall approve such settlement. The foregoing right of indemnification shall be in addition to, and exclusive of, all other rights to that which such consistory person or employee may be entitled.

ARTICLE XIV. AMENDMENTS

1. Amendments to this constitution may be made at any duly called congregational meeting by a two-thirds (2/3) affirmative vote of the active members present provided there are no less than twenty (20%) percent of the number of active members thus assembled. Public announcement of the text of the proposed amendment(s) shall have been made two (2) weeks prior to the meeting.