

BY-LAWS OF THE PRESBYTERIAN CHURCH IN BURLINGTON, MASSACHUSETTS

ARTICLE I. NAME

The name of this congregation is: The Presbyterian Church in Burlington, Massachusetts.

The name of this corporation is: The Presbyterian Church in Burlington, Massachusetts, Inc., of the Town of Burlington in the County of Middlesex in the Commonwealth of Massachusetts.

ARTICLE II. GOVERNANCE

This congregation and corporation **are** governed by the Constitution of the Presbyterian Church (U.S.A.) and the constitution and laws of the Commonwealth of Massachusetts.

The governing council of this church is the session. The session is responsible for the mission and government of this church. Deacons are organized as a board of deacons under the and authority of the session. All ministry and work of the deacons, treasurer, and any other boards, committees, or organizations of the congregation and corporation is carried out under the authority of the session.

ARTICLE III. MEMBERSHIP

Active members are those who have been received into membership of this congregation by the session in accordance with the *Book of Order* G-1.0303 and G-1.0402. Active members may vote in congregational meetings, and may be elected to offices of ordered ministry (*Book of Order* G-2.0102).

The session may delete names from the roll of the congregation when a member requests, or has moved or otherwise ceased to participate actively in the work and worship of the congregation for a period of two years (*Book of Order* G-3.0204).

ARTICLE IV. MEETINGS

Meetings of the congregation or of the session may conduct both ecclesiastical and corporate business during the same meeting.

Meetings of the congregation shall be conducted according to the most recent edition of *Robert's Rules of Order Newly Revised*, except in those cases where the *Book of Order* or these By-Laws provide otherwise. All meetings shall be opened and closed with prayer.

The congregation may meet by electronic means if members have reasonable notice of the electronic meeting and all participants have the ability to discuss and vote on business items. The required notice and quorum for such meeting are the same as for regular in-person meetings.”

Public notice of annual or special meetings of the congregation shall be made on at least two successive Sundays prior to the meeting. The meeting may be held on the day of the second notice.

The pastor shall ordinarily moderate all meetings of the congregation. Where circumstances make it impractical for the pastor to preside, the presiding officer shall be determined as directed by the *Book of Order*, G-1.0504.

The clerk of session shall be secretary of meetings of the congregation. If the clerk of session is unable to attend, the congregation shall elect a secretary for that meeting in his or her stead. The secretary shall

record the actions of the congregation in minutes of the meeting. On behalf of the congregation, the session, at its next stated meeting, shall review and approve the minutes of the annual meeting or any special meetings of the congregation.

There shall be an annual meeting of the congregation held each year on a date specified by the session.

The purpose of the annual meeting is:

1. To elect ruling elders, deacons, and members of the next year's nominating committee.
2. To receive the annual report of the session and other organizations of the church along with plans for the coming year.
3. To review and approve pastoral terms of call based upon report of the prior review by the session.
4. To transact any other appropriate business as provided in the *Book of Order*, G-1.05.

Special meetings of the congregation may be called by the session, by the presbytery, or when requested in writing by one fourth of the active members on the roll of the congregation as provided in the *Book of Order*, G-1.0502. Calls for a special meeting shall state clearly the purpose of the meeting, and no business other than that specified in the call may be considered.

ARTICLE V. VOTING

All active members are entitled to vote at meetings of the congregation. The quorum of a meeting of the congregation is not less than one tenth of the active members on the roll of the congregation. Voting is limited to those active members present/participating in a meeting of the congregation; voting by proxy is not allowed.

ARTICLE VI. SESSION

The session is composed of the installed pastor(s) and at least four (4) and no more than seven (7) ruling elders elected by the congregation to active service. All members of the session are entitled to vote. The installed pastor shall be the moderator of the session, and the session shall not meet without the pastor or another moderator designated as provided by the *Book of Order*, G-3.0201. Ruling elders on session serve for terms of one (1) to three (3) years and are eligible for reelection. However, no ruling elder shall serve on the session for consecutive terms, either full or partial, aggregating more than six years. After six years' service, no ruling elder is eligible to be elected to a new term until one year has elapsed. Election shall be to classes as nearly equal in number as possible, with the term of only one class ending each year.

The *clerk of session* is elected for a one-year term by the session from among its members at the first regular session meeting following the annual meeting.

The responsibilities of the session are defined in the *Book of Order*, G-3.02.

ARTICLE VII. DEACONS

The board of *deacons* is composed of at least four (4) and no more than seven (7) deacons elected by the congregation to active service. The terms of service, eligibility for re-election, and division into classes is the same as that for ruling elders, described above in Article VI.

At their first meeting following the annual meeting, the board of deacons shall elect, from among their members, for one-year terms, a moderator and any other officers they deem needed to carry out their responsibilities.

The responsibilities of the deacons are defined in the *Book of Order*, G-2.02

ARTICLE VIII. TRUSTEES

As provided by the *Book of Order*, G-4.01, the ruling elders on session, who are eligible under civil law, shall be the trustees of the corporation. The pastor is not a trustee but does moderate meetings of the session when corporate business is conducted.

The ruling elders on session, as trustees of the corporation, shall have the following powers: to receive, hold, encumber, manage, and transfer property, real or personal, for the congregation, provided that in buying, selling, and mortgaging real property, they shall act only after the approval of the congregation, granted in a duly constituted meeting; to accept and execute deeds of title to such property; to hold and defend title to such property; and to manage any permanent special funds for the furtherance of the purposes of the congregation.

ARTICLE IX. TREASURER

The *treasurer* of the congregation and corporation is elected annually by the session at their first meeting following the annual meeting and is supervised by the session.

The responsibilities of the treasurer are:

1. To charge each item of expenditure against the proper appropriation, and notify the session if expenditures are liable to exceed appropriations in the approved budget.
2. To keep records of all receipts and expenditures, and regularly to advise the session of the conditions of the finances.
3. To be custodian of all valuable papers such as deeds, insurance policies, and all papers ordered placed on file by the session and to deliver all to his/her successor.
4. Any other responsibilities related to the finances of the church that the session may designate.

ARTICLE X. NOMINATIONS & ELECTIONS

Nominations for ruling elders, deacons, and the next year's nominating committee shall be made by a representative nominating committee of the active members of the church.

The nominating committee is comprised of at least four (4) members in addition to the pastor, who is a member of this committee, *ex officio* and without vote. One member of the nominating committee is from the members of session; this member convenes the nominating committee, and ordinarily chairs the committee. One member is from the board of deacons. At least two (2) additional members shall be elected from among the active members of the congregation. Members of the nominating committee serve for a term of one year. No member of the nominating committee, other than the pastor, may serve on the committee for more than three consecutive years. The term of a nominating committee commences immediately upon election and continues until the next nominating committee is elected.

Care shall be taken to make the nominations as representative as possible of men and women, young and old, and racial ethnic members of the congregation.

Elections shall take place in accordance with the *Book of Order*, G-2.0401. Additional nominations of qualified persons for any elected office may be made from the floor by any active member in attendance with the consent of the nominee. A majority of all the active members present and voting is required to elect; voting by proxy is not allowed. If the number of nominations is equal to the number of open offices the vote may be by voice or by hand. If the number of nominations is more than the number of open offices the vote must be by ballot.

Vacancies in elective offices shall be filled for the unexpired term in the same manner provided for above, with elections to take place at annual or specially called meetings of the congregation.

ARTICLE XI. AMENDMENTS

These by-laws may be amended only by approval of two-thirds of those eligible voters present at a duly called meeting of the congregation, and only in accord with the Constitution of the Presbyterian Church (U.S.A.).

CHANGE LOG

Adopted 23 January 1988	Original version
Amended 12 February 1989	Unspecified amendment(s)
Amended 21 January 2012	Updated to reflect changes in the Form of Government
Amended 16 January 2016	Amended Article IV to change date of annual meeting to a date in January specified by session
Amended 27 January 2019	Amended Articles IV and X to delete reference to the preschool board
Amended 14 June 2020	Amended Article IV to allow for electronic congregational meetings
Amended 27 February 2022	Amended Articles II, IV, VI, VII, and VIII, IX, and X to: delete reference to a Board of Trustees and specify that ruling elders on session serve as trustees of the corporation; allow more flexibility in the date of the annual meeting and in the numbers and terms of members on the session and board of deacons.