

ADDITION TO THE REPORT OF THE STATED CLERK

Stated meeting of the Presbytery of Geneva
September 26, 2017
First Presbyterian Church, Waterloo, NY

Stated Clerk Action Items

Recommendations that the presbytery:

(Dundee / Request for Dissolution)

5. **Approve** the request of the session of First Presbyterian Church, Dundee, NY that the Presbytery of Geneva dissolve the First Presbyterian Church, Dundee, NY effective December 31, 2017.

Background:

- The session approved the recommendation during a duly-called session meeting, at which members of the Administrative Commission were present.
- During a duly called congregation meeting held following worship on Sunday September 24, 2017 at St. Mark's Terrace, Dundee, NY the congregation voted (9 yes / 1 no) to concur with the session's motion, and to make the request of the presbytery for dissolution, effective December 31, 2017.
- NOTE: The revised charge to the Administrative Commission for Dundee will be approved during the Committee on Ministry report, and will aid the Commission and session in working toward the dissolution.

ADDITION TO THE REPORT OF THE COMMITTEE ON Ministry

Stated meeting of the Presbytery of Geneva
September 26, 2017
First Presbyterian Church, Waterloo, NY

ITEMS FOR PRESBYTERY'S ACTION

6. (Administrative Commission for Romulus)

Approve the Revised Charge to the Administrative Commission for Romulus. [See **Attachment A**, below.]

(Administrative Commission for Williamson)

7. **Approve** the Revised Charge to the Administrative Commission for Williamson. [See **Attachment B**, below.]

ATTACHMENT A

ADMINISTRATIVE COMMISSION FOR
Romulus Presbyterian Church, Romulus, NY

CHARGE FOR THE ADMINISTRATIVE COMMISSION

Approved by the Presbytery of Geneva
September 26, 2017

[Stated Meeting, First Presbyterian Church, Waterloo, NY]

The **Presbytery of Geneva** establishes the following **charge** for the work of the Administrative Commission for Romulus Presbyterian Church, Romulus, NY.

BACKGROUND

During the stated meeting of the Presbytery of Geneva on March 15, 2016 the presbytery voted to form an Administrative Commission for the Romulus Presbyterian Church, Romulus, NY. The presbytery elected two of three members of the Administrative Commission:

- Elder Stephen Beals, CRE (West Fayette)
- The Rev. Russell Duncan (Lyons)

The intent was for the Administrative Commission to “come alongside” the session of the Romulus church as the session and congregation faced serious concerns about their future. The Commission would then be in place to assume appropriate responsibilities, depending upon the church’s decisions regarding their future.

During the stated meeting of the Presbytery of Geneva on May 21, 2016 the presbytery voted to elect a third member of the Administrative Commission:

The Rev. Nancy Biddlespacher, Honorably Retired

During the January 28, 2017 stated meeting the Presbytery of Geneva voted to approve the following action:

The presbytery VOTED to **authorize** the congregation of the Romulus Presbyterian Church to proceed with the process of the sale of the building and property and to secure an alternative place of worship. [NOTE: Two options for future worship location are (1) the local fire hall, and (2) the West Fayette Church.]

It is now recognized that the January 28, 2017 action was in error, because the motion did not accord any responsibility to the Administrative Commission in bringing the action to fruition. Moreover, the congregation has now determined that in addition to contemplating the sale of the building, the congregation wishes to dissolve as a congregation. The church building has been listed for sale and at least one offer has been made.

These developments necessitate a revision of the Charge for the Administrative Commission for Romulus Presbyterian Church, Romulus, NY.

REVISED CHARGE FOR THE ADMINISTRATIVE COMMISSION FOR ROMULUS PRESBYTERIAN CHURCH, ROMULUS, NY

~ For action by the Presbytery of Geneva on September 26, 2017 ~

THE ADMINISTRATIVE COMMISSION

1. The Administrative Commission shall confirm a moderator and a clerk.
 - a. The moderator shall convene meetings of the Administrative Commission, lead the meetings of the Commission, serve as the primary contact for persons who wish to communicate with the commission, and ensure the Commission’s support of the session of the Romulus church.
 - b. The clerk shall keep the minutes of the Commission and a record of the Commission’s activities. The clerk shall complete all correspondence, as directed by the Commission; and report to the Commission any correspondence received.
2. The Administrative Commission shall approve the minutes prepared by the clerk. The Administrative Commission, through the clerk, shall provide to the stated meeting of the presbytery (for inclusion in the presbytery minutes) all Commission minutes since the previous stated meeting of the presbytery.
3. The presbytery stated clerk shall serve as the primary staff resource to the Administrative Commission.

THE RESPONSIBILITIES AND DUTIES OF THE ADMINISTRATIVE COMMISSION

I. DETERMINE THE STATUS OF THE SESSION’S/CONGREGATION’S DECISION

1. Ensure that the session and congregation have carefully considered all their options:
 - a. Continue as things are
 - b. Sell the building and proceed with ministry as a congregation
 - c. Sell the building and proceed with dissolution as a congregation
 - d. Proceed to dissolve the congregation and subsequently sell the building
 - e. Other options
2. If any one of options (b), (c), or (d) is chosen, ensure that the session has followed the steps required:
 - a. Establish a date for a congregational meeting to discuss the recommended option
 - b. Establish a date for a congregational meeting to act on the option
 - c. Establish either an anticipated date for the sale of the building and/or a date for the dissolution of the church.
 - d. Present to the presbytery any motions regarding the above options. (NOTE: the presbytery must act on any recommendations by the congregation for sale of the building and/or dissolution of the congregation.)

II. ARRANGE FOR THE PASTORAL CARE OF CHURCH MEMBERS

1. Work with the session to identify where members wish to transfer their membership, and when
2. Provide pastoral support and care to the Commissioned Ruling Elder serving the Romulus church during this time of transition.
3. Prior to dissolution, the clerk of session will effect transfers of membership.
4. Provide to the stated clerk the names and contact information of members who have not transferred their membership prior to dissolution of the church. The stated clerk will effect transfers requested after dissolution.

III. ASCERTAIN THE FINANCIAL STATUS AND OUTSTANDING FINANCIAL OBLIGATIONS OF THE SESSION

1. Conduct a financial review of the Treasurer's books for the last 12 months.
2. Determine location of checking accounts, savings accounts, endowment accounts, Sunday School accounts, Women's group accounts and any other financial resources.
3. On endowment or memorial accounts, determine if there are any bequest stipulations.
4. Have all accounts closed, transferring any balances to the primary checking account of the Session (to meet any outstanding obligations) or to the presbytery.
5. If any church accounts remain open, submit new signature card(s) for accounts with at least two officers of the presbytery designated as signatories (usually the treasurer and stated clerk).
6. Determine any outstanding debts/obligations.
7. Publish in local paper a public notice to the effect:
The _____ Church of _____, NY will end its ministry on or about (date). Any outstanding debts/financial obligations must be submitted in writing to the church treasurer at (address) by the close of the business day (date)
8. Authorize the payment of all financial obligations.
9. Provide a "statement of contribution" to all current year contributors.
10. If the church owns any stocks, bonds, certificates, or other financial instruments have ownership of such transferred to the Presbytery of Geneva.
11. Following the dissolution, transfer all remaining account balances to the Presbytery of Geneva and close any remaining church accounts.

IV. SECURE THE SESSION RECORDS

1. Locate all Session minutes, the church register, and other financial and legal records to be submitted to the Stated Clerk of the presbytery for appropriate disposition.
2. The Clerk of Session will hand these symbolically to a representative of the Stated Clerk at the conclusion of the Presbytery's recognition of the ministry of the church.

V. SECURE THE LEGAL RIGHTS TO THE PROPERTY

1. Secure a Clear Title to the property.
2. Provide a copy of the deed to the Presbytery Board of Trustees (General Council). A copy of the deed may be obtained from the County Courthouse. Ascertain if there are any deed restrictions or stipulations.
3. Transfer title of the property to the Presbytery of Geneva.
4. List the property on the Presbytery's property and liability insurance coverage, terminate any other current insurance coverage.
5. Notify the County Assessor's Office that the property is no longer used as a church as of the dissolution date.
6. Discover if the congregation is incorporated; if so:
 - a. Locate the Articles of Incorporation.
 - b. Publish a public Notice to Dissolve a Corporation in the local newspaper.
 - c. Adopt and publish the following motion:
"Pursuant to G-4.0203) of the Book of Order of the Presbyterian Church (U.S.A.), the Presbytery of Geneva is the legal successor of the Romulus Presbyterian Church in Romulus, NY.

VI. SECURE THE BUILDING AND PROPERTY

The session has a responsibility and right to advise as to the distribution of the proceeds of the sale of the building, with the following parameters:

- If the sale **precedes the dissolution**, the Administrative Commission will guide the process of appropriately following that advice. The Presbytery of Geneva will have the final approval of such distribution.
- If the sale **follows the dissolution**, the Presbytery of Geneva will determine the distribution of the proceeds of the sale of the property. The Administrative Commission will communicate the session's desires and recommendations.

1. Arrange for the disposition of furnishings. The Session, with the concurrence of the Administrative Commission may arrange for the disposition of furnishings, communion ware, hymnals, Sunday School supplies, pulpit, lectern, and communion table, etc. These may be given away, sold by the piece, or bids may be received for the entire lot of furnishing. The Administrative Commission shall be consulted and concur with the decision to dispose of any item thought to be of historic value. It is recommended that at least one appraisal by an antiques dealer/estate assessor be obtained before accepting any bids.
2. These decisions should be documented in detail in both Session and Commission minutes.
3. Ascertain which utilities should remain connected and which may be disconnected and make these arrangements with the proper companies. Transfer the billing for the utilities to the Presbytery of Geneva effective on the dissolution date. It may be necessary to maintain heat during the winter to avoid damage. Electricity and water should remain on.
4. Arrangements should be made to drain the water pipes if the utilities can be turned off.
5. Secure the building and recover keys from anyone who does not need access.
6. If distribution of keys is widespread and any contents are valuable, consider having the locks changed.
7. Make provisions through the Property Committee for a caretaker until the final disposition of the property, including mowing of lawn and maintenance of any sidewalks.
8. After the closing worship service remove any identifying signage and the cornerstone, if possible (checking for a time capsule).

VII. DISSOLUTION OF THE COMMISSION

1. Commission is dissolved upon the completion of its work.

ATTACHMENT B

ADMINISTRATIVE COMMISSION FOR Williamson Presbyterian Church, Williamson, NY

REVISED CHARGE FOR THE ADMINISTRATIVE COMMISSION

Approved by the Presbytery of Geneva
September 26, 2017

[Stated Meeting, First Presbyterian Church, Waterloo, NY]

The **Presbytery of Geneva** establishes the following **charge** for the work of the Administrative Commission for Williamson Presbyterian Church, Williamson, NY in the matter of the dismissal of the church to the Evangelical Presbyterian Church.

BACKGROUND

The congregation and Administrative Commission have been working for more than 18 months on the process of dismissal of the Williamson Presbyterian Church to the Evangelical Presbyterian Church.

The process is not complete, and there is some confusion as to the current status.

REVISED CHARGE FOR THE ADMINISTRATIVE COMMISSION FOR WILLIAMSON PRESBYTERIAN CHURCH, WILLIAMSON, NY

~ For action by the Presbytery of Geneva on September 26, 2017 ~

THE ADMINISTRATIVE COMMISSION

4. The Administrative Commission shall confirm a moderator and a clerk.
 - a. The moderator shall convene meetings of the Administrative Commission, lead the meetings of the Commission, serve as the primary contact for persons who wish to communicate with the commission, and ensure the Commission's support of the session of the Williamson church.
 - b. The clerk shall keep the minutes of the Commission and a record of the Commission's activities. The clerk shall complete all correspondence, as directed by the Commission; and report to the Commission any correspondence received.

5. The Administrative Commission shall approve the minutes prepared by the clerk. The Administrative Commission, through the clerk, shall provide to the stated meeting of the presbytery (for inclusion in the presbytery minutes) all Commission minutes since the previous stated meeting of the presbytery.
6. The presbytery stated clerk shall serve as the primary staff resource to the Administrative Commission.

THE RESPONSIBILITIES AND DUTIES OF THE ADMINISTRATIVE COMMISSION

VIII. DETERMINE THE STATUS OF THE DISMISSAL PROCESS

3. Contact the attorneys involved (the attorney serving Williamson Presbyterian Church and the attorney engaged by the Commission on behalf of the presbytery):
 - a. What, specifically, is the status of the legal process?
 - b. What specific agreements have been made by each party? (For example, the presbytery understands that there is a commitment from Williamson Presbyterian church to remit to the Presbytery of Geneva approximately \$11,000.00 of unpaid Per-Capita assessments. The nature and status of that commitment is unclear.)
 - c. What is holding up the process, and how may any of those issues be resolved?
4. Ensure that ecclesiastical and legal matters are completed:

[NOTE: Any terms of transfer and any legal arrangements must be approved by the Presbytery of Geneva during a stated meeting or a special meeting. The legal documents must be a part of the presbytery's minutes.]

 - a. Necessary steps to change the incorporation of the church, consistent with the *Religious Corporation Law of New York State*.
 - b. Approval of the Supreme Court of New York State for the change of incorporation.
 - c. Clear description of commitments of the Presbytery of Geneva and of the Williamson Presbyterian Church, and clear description of the accountability for completing those commitments.
 - d. Determination of an effective date for the transfer of the congregation.
 - e. Reporting the transfer to the Office of the General Assembly of the Presbyterian Church (USA). This will be accomplished by the stated clerk of the Presbytery of Geneva.

IX. SECURE THE SESSION RECORDS

3. Locate all Session minutes, the church register, and other financial and legal records to be submitted to the Stated Clerk of the presbytery for appropriate disposition.
4. The stated clerk of the Presbytery of Geneva will facilitate the archiving of records with the Presbyterian Historical Society.

X. WILL THERE BE A SERVICE OF WORSHIP CELEBRATING THE MINISTRY OF THE CHURCH AS A PART OF THE PC(USA)?

1. Determine if there will be such a service, and work with the session to plan it.
2. Set the date and time for the service.
3. Allow time for the date to be publicized and the invitations issued.
4. Decide what special features the service should include.
5. Determine whether the service will include the Service of the Lord's Supper.
6. Consider structuring the service using the resources from the *Book of Occasional Service*. Identify a possible preacher and other participants.
7. At least one representative from the Administrative Commission should be included.
8. The stated clerk and the Transitional Leader should be included.
9. Identify favorite hymns of church members (and identify favorite hymns of the **congregation** as a whole).
10. Consider possibilities for special music.
11. Have the session determine where the proceeds from the offering will go.
12. Arrange for ushers, parking attendants (if needed), and elders to serve Communion (if that is part of the service).
13. Format, type, and print bulletins.
14. Arrange for preparation of communion elements.
15. Arrange for any needed cleaning of the facility before and after the service.
16. Arrange for a reception following the service (location / how food will be provided / financial resources of the congregation to pay for a reception).
17. Appoint a group to take charge of decorating and other arrangements.

XI. PUBLICIZE THE SERVICE FOR TRANSFER OF THE CHURCH (in partnership with the session)

1. Have church members make a “guest list” (with contact information) of relatives, friends, former members, etc. whom they wish to invite to the service.
2. Have invitations printed and facilitate (sending them (sent by a person or group / sent by church members . . . with the stamps provided from church funds).
3. Design a flier or write a letter to be distributed to the churches and members of the presbytery. Send flier or letter to the presbytery office, with ample time for duplication and distribution.
4. Prepare a press release for local newspapers.
5. Arrange for local newspaper coverage and a photographer.

XII. DISSOLUTION OF THE COMMISSION

2. Commission is dissolved upon the completion of its work.