

By-Laws
Fourth Universalist Society in the City of New York

A Member of the Unitarian Universalist Association

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1 **I Name**

2 The Society is known under the title of its original incorporation as the “Fourth
3 Universalist Society in the City of New York.”

4 **II Purpose**

5 The Society is a free fellowship of seekers after truth, bound by no dogma, restricted by
6 no creed. Its purpose is to create a concerned and sharing community of persons
7 committed to the fulfillment of the liberal way in religion. We, its members, relying upon
8 reason as our guide, tolerance as our purpose, and freedom as our goal, seek to develop
9 character, to enrich the spirit, to grow in understanding of ourselves and of our world, and
10 to express our commitment in worship and service to our fellows.

11 **III Denominational Affiliation**

12 The Society is a member of the Unitarian Universalist Association. It shall also be a
13 member of regional organizations affiliated with the Unitarian Universalist Association,
14 including the New York City Area Council, the Unitarian Universalist District of
15 Metropolitan New York and the New York State Convention of Universalists, or their
16 legal successors.

17 **IV Membership**

18 ***Section 4.1 Eligibility***

19 Any person who is in sympathy with the purposes and program of the Society and the
20 principles and purposes of the Unitarian Universalist Association shall be eligible for
21 membership.

22
23 Applicants shall be admitted to membership upon recommendation by the membership
24 committee in accordance with policies established by the Board. No assent to a creed or
25 participation in a ceremony shall be required of any member, but signing the membership
26 book shall be required.

27 ***Section 4.2 Annual Announcement***

28 At each annual meeting the chair of the Membership Committee shall announce the
29 names of all persons who have been admitted to membership since the last annual
30 meeting.

31 ***Section 4.3 Right to Speak***

32 The right to speak at any meeting of the Society shall not be denied to any member of the
33 Society.

34 ***Section 4.4 Right to Vote***

35 The right to vote at a meeting of the Society may be exercised only by those members
36 who

- 37 a) are over sixteen years of age;
- 38 b) have been members for sixty days; and
- 39 c) have made any recorded financial contributions during the current or preceding
- 40 fiscal year pursuant to a written Financial Commitment. New Members shall be
- 41 non- voting unless they meet all other requirements of membership and make a
- 42 recorded financial contribution.
- 43

44 ***Section 4.5 Eligibility for Office***

45 Only voting members living in the Metropolitan New York District, as defined by the
46 UUA, shall be eligible for election as officers, Trustees or members of elected
47 committees (collectively, the “elective offices”), and only such members shall be
48 considered for purposes of Section 5.4 and for denominational reporting. No member
49 shall occupy more than one elective office, except that (a) a member elected to another
50 office may also serve on the ministerial search committee, and (b) pursuant to Section
51 9.2(a)(i) one member of the nominating committee shall be a Trustee.

52 ***Section 4.6 Termination***

53 Any member may terminate his or her membership by a notice in writing to the Clerk.
54 Inactive members may be stricken from the membership list upon recommendation by the
55 membership committee and approval by the Board. However, no person shall be stricken
56 from the list unless he or she is sent an inquiry by email and, failing response, first class
57 mail, and shall fail to indicate a desire to remain a member.
58

59 **V Meeting of the Society**

60 ***Section 5.1 Calls to Meetings***

61 The Society shall have regular meetings on a quarterly basis, at a time and place
62 appointed by the Board.

63
64 The regular meetings held during the month of May or June shall be known as the annual
65 meeting and shall be held, for the purpose of electing members to elective offices and
66 such other matters as may be decided upon. If a Trustee or member of the nominating
67 committee whose term is not expiring is elected to another office (other than the
68 ministerial search committee), a successor shall be elected at the same meeting to fill the
69 unexpired term.

70
71
72 Special meetings of the Society may be called by the Board and shall be called upon
73 written petition of ten voting members of the Society served upon the Clerk by certified
74 mail or by personal service evidenced by a signed receipt, with a copy to the office of the
75 Society.

76 ***Section 5.2 Notice of Meetings***

77 Written notice of the time and place of all meetings of the Society shall be sent to all
78 members of the Society by first class mail at least fifteen days prior to the date of the
79 meeting.

80 ***Section 5.3 Business Transacted***

81 Any business which may lawfully come before the Society may be transacted at any
82 regular meeting; provided, however, that action to call or terminate a minister or elect a
83 ministerial search committee or any action specified in Section 5.4 (b) or (c) may not be
84 taken at any regular meeting unless specified in the notice of the meeting.

85
86 At special meetings no business other than that contained in the notice shall be
87 transacted.

88 ***Section 5.4 Quorum; Qualified Majorities***

89 **a) General Rule**

90 Except as otherwise specifically provided herein, the presence of twenty percent
91 of the members of the Society or thirty members, whichever is greater, shall
92 constitute a quorum for the transaction of any business at any meeting of the
93 Society.

94 **b) Disposition of Real Property**

95 Any action with respect to the sale, mortgaging or other disposition of the
96 Society's real property located at 160 Central Park West, except for a lease or
97 license of less than the entire building for a term not exceeding five years, shall
98 require the presence of two thirds of the members and the affirmative vote of not
99 less than half of the members of the Society.

100

101 Any action with respect to the sale, mortgaging or other disposition of any other
102 real property of the Society shall require the presence of a majority of the
103 members of the Society and the affirmative vote of not less than two thirds of the
104 members present at the meeting.

105 **c) Substantial Alterations**

106 Authorization of any alteration of the building costing in excess of twenty five
107 thousand dollars shall require the presence of one half of the members of the
108 Society and the affirmative vote of not less than three quarters of those present.

109 **d) Call or Termination of Minister**

110 The call or termination of a minister shall require the presence of one half of the
111 members of the Society or thirty members, whichever is greater, and the
112 affirmative vote of not less than three quarters of those present. Voting shall be by
113 written ballot.

114 ***Section 5.5 No Proxy Voting***

115

116 There shall be no voting by proxy.

117 ***Section 5.6 Absentee Ballots***

118 a) Members qualified to vote may cast an absentee ballot for the election of
119 members to elective office and for no other purpose.

120

121 b) Absentee ballots shall be mailed to each member together with the notice of the
122 meeting at which the election is to take place.

123

124 c) All absentee ballots must be in the hands of the Clerk prior to the commencement
125 of the meeting. Absentee ballots received after the meeting commences shall not
126 be counted.

127 ***Section 5.7 Moderator***

128 A moderator may be elected at any meeting of the Society to preside over the meeting.

129 The meeting shall be called to order by the President who shall preside unless and until a
130 moderator has been elected.

131

132 A motion to elect a moderator shall take precedence over all other business. The motion
133 shall specify whether the moderator is to preside over one or more specific items of
134 business or until the close of the meeting.

135

136 If so specified in a petition for a special meeting, a moderator shall be elected to preside
137 over the matter which is the subject of the petition.

138 **VI The Board of Trustees**

139 ***Section 6.1 Members***

140 The Board shall have a membership of seven Trustees. The Trustees shall consist of the
141 President, the Vice President, the Clerk, the Treasurer and three Members-at-Large.

142 ***Section 6.2 Election of Trustees***

143 At least two new Trustees shall be elected at each annual meeting of the Society, to
144 serve one-year terms, and at least two Trustees shall rotate off the Board each
145 year. Unless otherwise self-selected, the two Board members with the most service on the
146 Board will rotate off. No member shall be eligible for election to any office if
147 completion of the term to which elected would result in more than eight consecutive
148 years of service on the Board. Trustees elected at the annual meeting shall take office at
149 the start of the Fiscal Year following their election.

150 ***Section 6.3 Vacancies***

- 151 a) A vacancy in any elective office may be filled by the Board. No person shall be
152 appointed to any elective office to which he or she was ineligible for election
153 pursuant to Section 6.2, 7.2 or 9.2 (a) (2) at the last annual meeting of the Society.
154
- 155 b) All such appointments by the Board shall expire at the next annual meeting of the
156 Society, at which the Society shall elect successors to serve for the unexpired
157 term, if any, of the office to which such members were appointed.
158
- 159 c) If the Board is reduced to less than a quorum the remaining members of the Board
160 shall call a special meeting of the Society to elect members to serve until the next
161 annual meeting.
162
- 163 d) The Board may remove any member who is absent from three consecutive
164 meetings.

165 ***Section 6.4 Annual Meeting***

166 The annual meeting of the Board shall be held within twenty days after the annual
167 meeting of the Society, for the purpose of appointing committees and their chairs and
168 such other matters as shall be decided upon.

169 ***Section 6.5 Regular Meetings***

170 The Board shall meet at least once every month except during July and August.
171

172 ***Section 6.6 Special Meetings***

173 Special meetings of the Board may be called by the President, and shall be called by the
174 Clerk at the request of four or more Trustees. Notice of a special meeting shall be given
175 to all Trustees not less than 24 hours before the meeting. Special meetings may be
176 conducted by teleconference or any other method which provides for simultaneous aural
177 communication among all participating members equivalent to that of an in-person
178 meeting.

179 ***Section 6.7 Meetings to Be Open***

180 The meetings of the Board shall be open.

181 ***Section 6.8 Responsibilities***

182 The Board shall be responsible for

- 183 a) The property and assets of the Society;
184 b) The conduct of its business affairs;
185 c) The control of its administration; and
186 d) The management of its investments.

187 ***Section 6.9 Duties***

188 The Board shall

- 189 a) appoint all employees of the Society except the Minister and fix their
190 compensation;
191 b) fill temporarily any office which becomes vacant;
192 c) authorize all expenditures of money within the budget as voted by the Society at
193 its annual meeting;
194 d) act upon application for new recognized organizations within the Society; and
195 e) establish procedures for use of the building or facilities of the Society.
196

197 No expenditure of funds exceeding the budget by more than five thousand dollars shall be
198 made without the affirmative vote of a meeting of the Society.

199 **VII Officers**

200 ***Section 7.1 Offices and Election***

201 The officers of the Society shall be the President, the Vice President, the Treasurer, and
202 the Clerk. The President, the Vice President, the Treasurer and the Clerk shall be elected
203 by the Society at its annual meeting.
204

205 ***Section 7.2 Terms***

206 Each officer shall be elected for a term of one year. No member shall be eligible for
207 election as President if completion of the term to which elected would result in more than
208 three consecutive years of service as President. Officers elected at the annual meeting
209 shall take office at the start of the Fiscal Year following their election.

210 ***Section 7.3 The President***

211 Shall

- 212 a) preside at all meetings of the Board;
213 b) call all meetings of the Society to order and preside at such unless and until a
214 moderator has been elected; and
215 c) be an ex-officio member of all appointed committees except the committee on
216 ministry.

217 ***Section 7.4 The Vice President***

218 Shall act in the place of the President during the President's absence and perform such
219 duties as may be assigned by the President or the Board.

220 ***Section 7.5 The Clerk***

221 Shall

- 222 a) keep accurate records of all Proceedings of the Board and meetings of the
223 Society;
224 b) maintain a list of members and those qualified to vote at meetings of the Society;
225 c) issue notices and notify the membership by mail of all meetings and the questions
226 to be voted on;
227 d) certify the adoption of and amendments to the by-laws; and
228 e) have custody of the corporate seal.

229
230
231
232

All records of the Clerk shall remain the property of the Society.

233 ***Section 7.6 The Treasurer***

234 The Treasurer shall:

- 235 a) receive and provide for safekeeping of all money and other property of the
- 236 Society entrusted to the Treasurer's care;
- 237 b) disburse the same under the direction and to the satisfaction of the Board;
- 238 c) keep accounts of the money received and disbursed, such accounts to be open at
- 239 all times to the inspection of the Board;
- 240 d) report receipts, expenditures and balance on hand as required by the Board;
- 241 e) prior to the annual meeting exhibit a statement of accounts, including a balance
- 242 sheet, for the examination of the Board;
- 243 f) furnish statements of the pledge status of the membership to assist the Clerk in
- 244 determining the qualifications of members for voting; and
- 245 g) be an ex-officio member of the finance & stewardship committee and assist in the
- 246 making of the yearly budget.

247

248 The books of the Treasurer shall be audited every other year with a financial review in
249 the alternating year by an independent public accountant who shall not be a member of
250 the Society. Surety bond shall be provided for the Treasurer at the expense of the Society.

251

252 The Board may appoint one or more assistant treasurers, but such appointees shall not be
253 officers of the Society.

254

255 **VIII The Minister**

256 ***Section 8.1 Duties***

257 The Minister is the spiritual leader of the Society.

258

259 The Minister's primary duty is to guide the religious life and educational affairs of the
260 congregation and to represent the Society in community and denominational affairs. The
261 Minister shall have such other duties as specified in his or her contract.

262

263 The Minister shall make periodic reports to the Board and to the membership on the
264 condition of the Society and shall be an ex-officio member of all committees and other
265 recognized organizations of the Society, except the nominating committee and the
266 ministerial search committee for his or her replacement.

267 ***Section 8.2 Call of a Minister***

268 A vote on the call of a minister shall take place upon recommendation of the search
269 committee at a meeting of the Society called for the purpose.

270 ***Section 8.3 Contract***

271 The Minister shall have a contract recommended by the Board and approved by the
272 Society which shall specify the conditions of employment.

273 ***Section 8.4 Salary***

274 The salary of the Minister shall be determined by a vote of the Society as part of the
275 budget.

276 ***Section 8.5 Termination***

277 The services of the Minister may be terminated at a meeting of the Society called for the
278 purpose. The Minister shall have the right to address the meeting before a vote is taken.

279

280 **IX Committees and Organizations**

281 *Section 9.1 Appointed Committees*

282 **a) General**

283 **i. Committees of the Board**

284 The Board may appoint standing committees of the Board. Each
285 committee so appointed shall consist of three or more Trustees (one of
286 whom may be appointed to serve as chairperson of such committee).

287 **ii. Committees of the Society**

288 The board may appoint committees other than the committees of the
289 Board to be committees of the Society. Such committees may be
290 standing or special. Such committees may consist of Trustees and
291 others. No committees of the Society shall have the power to bind the
292 Board.

293 **iii. Policies for Committees**

294 The Board shall establish, in consultation with the committee concerned
295 in each case, written policies defining the functions, responsibilities and
296 organization of each appointed committee.

297
298 Written reports of the activities of all appointed committees shall be made at
299 the annual meeting of the Society.

300 **b) Standing Committees of the Society**

301 The Board shall appoint the following standing committees of the society:
302 worship arts, religious education, membership, finance & stewardship, committee
303 on ministry and such other standing or special committees as it shall deem
304 appropriate, and their chairs.

305
306 All voting members of the finance & stewardship committee and all members of
307 the committee on ministry shall be members of the Society.

308
309 No person shall serve as chair of more than one standing committee. This shall
310 not prevent membership in any number of committees nor chairing a sub-
311 committee or an ad hoc committee.

312
313 All committee appointments shall expire at the next annual meeting of the Board.

314 **i. Nomination of Committee Chairs**
315 Each standing committee shall nominate a Chair for the upcoming year to the
316 Board of Trustees by April 30th. The Board shall accept or reject the
317 nomination by June 30th.

318 **c) Finance & Stewardship Committee**

319 **i. Mission**
320 The finance & stewardship committee is charged with the guardianship of the
321 Society's finances and strives to create a culture of giving at Fourth
322 Universalist.
323

324 **ii. Members**
325 The committee shall consist of the Treasurer and at least two other members,
326 one of whom shall be a Trustee. The Board shall regularly review the
327 membership of the finance & stewardship committee and set any necessary
328
329 policies governing duration of service and eligibility for membership on the
330 committee.

331 **iii. Responsibilities**
332 The finance & stewardship committee is responsible for the long term fiscal
333 health of the Society. It shall prepare, with the collaboration of the Minister
334 and appropriate staff, the annual operating budget for presentation to the
335 annual meeting. It shall be informed at all times on the financial condition of
336 the Society and be prepared to give reports as required. It shall advise the
337 Board regarding the insurance program of the Society. It shall also manage the
338 fundraising activities of the Society, including canvass and any capital
339 campaigns. Finance & stewardship will also manage the budget and priorities
340 for the maintenance and improvement of the Society's physical properties. It
341 shall also advise the Board regarding the administration of the Society's
342 Endowment Fund.

343 ***Section 9.2 Elected Committees***

344 **a) Nominating Committee**

345 **i. Members**
346 The nominating committee shall consist of a chair and two other members.
347 One member of the committee will currently be on the Board of Trustees.

- 348 **ii. Election**
349 At least one new member shall be elected at each annual meeting of the
350 Society for two-year terms. Members shall not be eligible for reelection
351 immediately.
352
353 The chair shall be elected annually for a one-year term and may not serve
354 more than two consecutive terms. The chair may have previously served a
355 two-year term as a member of the nominating committee immediately before
356 election as chair.
- 357 **iii. Duties**
358 The committee shall solicit recommendations for candidates from the
359 membership, prepare a slate of candidates for each elective office including
360 the nominating committee, and publish this list by first class mail to all
361 members of the Society at least thirty days prior to the meeting at which the
362 election is to take place.
363
364 If a Trustee or member of the nominating committee whose term is not
365 expiring is nominated for another office (other than the ministerial search
366 committee), a candidate for the unexpired term shall also be nominated.
- 367 **iv. Nominations by Petition**
368 Additional nominations for any office may be made in writing with the
369 consent of the member(s) nominated, signed by at least five members and files
370 with the chair of the nominating committee and the Clerk at least twenty days
371 before the meeting at which the election is to take place.
- 372 **v. Eligibility for Office**
373 Membership on the nominating committee shall not preclude nomination for
374 another elective office.
- 375 **b) Ministerial Search Committee**
- 376 **i. Members**
377 The Board shall determine the number of members of the ministerial search
378 committee in consultation with the representative designated by the Unitarian
379 Universalist Association for this function (the “UUA representative”).
- 380 **ii. Election**
381 Candidates for election to the committee shall be nominated pursuant to
382 Section 9.2(a)(3) and (4) and elected at a meeting of the Society called for the
383 purpose.

384 **iii. Procedures**

385 The committee shall elect its own chair and establish its own procedures in
386 consultation with the UUA representative.

387
388 ***Section 9.3 Recognized Organization***

389 Any organization that is in sympathy with the purposes and program of the Society and
390 the principles and purposes of the Unitarian Universalist Association may submit and
391 application for recognition to the Board of Trustees.

392 **X The Council**

393 ***Section 10.1 Mission***

394 The Church Council is a leadership body whose mission is to ensure that the programs of
395 the Society adhere to the Society's mission and Board policies.

396
397 The Church Council meets to: discuss the application of policies and practices; share
398 information; coordinate committee activities and make recommendations to the Board via
399 the Board liaison to the Council.

400 ***Section 10.2 Membership***

401 The Council shall consist of a representative from each appointed committee and
402 recognized organization of the Society. The Minister, the music director, the director of
403 religious education and the President shall be ex-officio members.

404 ***Section 10.3 Appointment***

405 Each appointed committee and recognized organization shall appoint a representative to
406 the Council and an alternate no later than June 30 of each year for a one-year term, and
407 shall notify the Chair of the Council. When feasible, the representative shall be the chair
408 of the committee or the recognized organization. The representative shall regularly attend
409 meetings of the Council and shall convey to his or her committee or recognized
410 organization the substance of those meetings.

411 ***Section 10.4 Officers***

412 **a) The Chair of the Council**

413 Shall convene and preside over meetings of the Council. The Council shall
414 nominate a Chair of the Council for the upcoming year by April 30th for approval
415 by the Board of Trustees. The Board must decide to accept or reject the
416 nomination before June 30th. No member may be elected Chair of the Council
417 who has served two consecutive one-year terms.

418 **b) Other Officers**

419 The Council shall elect such other officers as it deems appropriate, for one year
420 terms.

421 ***Section 10.5 Relationship with Board***

422 The Council is responsible to, and subject to the direction of, the Board.

423 ***Section 10.6 Duties***

424 The Council shall

- 425 a) Promote coordination and cooperation among the committees and recognized
- 426 organizations represented on the Council;
- 427 b) Harmonize the schedule of activities of the Society;
- 428 c) Coordinate the “all-Society” functions (except worship services);
- 429 d) Consider new activities and possible organizational structures likely to fulfill the
- 430 purposes of the Society and, where appropriate, recommend them to the Board;
- 431 e) Recommend changes in overall programs and policies of the Society to the Board.

432 ***Section 10.7 Meetings***

433 The Council shall meet at least five times a year.

434 **XI Miscellaneous**

435 ***Section 11.1 Use of the Society’s Name***

436 The Society shall not be represented as supporting a viewpoint or sponsoring an event
437 without prior approval of the Board or the Society in each instance. Any request for such
438 approval shall be presented to the Board in a form which demonstrates its relevancy to
439 the purposes of the Society. The Board either act on the request or refer it to a special or
440 annual meeting of the Society for action. Nothing herein shall preclude a committee or
441 recognized organization of the Society from supporting a viewpoint or sponsoring an
442 event in its own name so long as it is consistent with the purpose and program of the
443 Society and the principles and purposes of the Unitarian Universalist Association.

444 ***Section 11.2 Fiscal Year***

445 The fiscal year shall run from July 1 to June 30.

446 ***Section 11.3 Parliamentary Procedure***

447 Except as otherwise provided herein, all meetings of the Society and its committees and
448 recognized organizations shall be conducted in accordance with the latest edition of
449 Robert’s Rules of Order.

450 ***Section 11.4 Amendments***

451 These by-laws may be amended by a two-thirds vote of the members present and voting
452 at a regularly called meeting of the Society. A written notice stating the proposed changes
453 and the supporting reasons shall be mailed to all members at least fifteen days prior to the
454 meeting at which action on the amendments is to be taken.

456 ***Section 11.5 Endowment Fund***

457

- 458 a) Purpose
459 The Society shall have an Endowment Fund. The purpose of the Endowment Fund shall
460 be to enhance the mission of the Society.
- 461 b) Operation of the Fund
462 The Endowment Fund shall be managed by the Board, with the advice of the finance &
463 stewardship committee. The assets of the Endowment Fund shall not be commingled
464 with any other assets of the Society.
- 465 c) Contributions to the Fund
466 Any person may contribute to the Endowment Fund. The Board may decline to accept a
467 contribution if it determines the purpose for which the contribution is proposed is
468 inconsistent with the purposes of the Society, the type of contribution is inappropriate as
469 an asset of the Society, or the contribution is subject to conditions, restrictions, or other
470 limitations which the Society could or should not comply.
- 471 d) Expenditure of the Fund's Assets
472 Except under extraordinary circumstances, spending of the Endowment Fund's assets
473 shall not commence until the Fund's Net Asset Value equals or exceeds \$250,000.
474 Proposed expenditures of the Fund's Assets shall be presented to the Society at any
475 regularly scheduled meeting for approval. Such Approval shall require the presence of a
476 majority of the members of the Society and the affirmative vote of not less than two
477 thirds of the members present at that meeting.