

THE COMMUNITY CHURCH
OF NEW YORK
UNITARIAN UNIVERSALIST

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Affiliated Minister

January 21, 2009

Dear Congregation,

The Board is saddened by the Senior Minister's behavior in his escalating criticism of the Board. We realize that many people have heard of the disagreements that the Senior Minister has had with the Board. It is easy to find these in the Senior Minister's reports. The Board has not shared all of its thoughts to date; in the hope issues could be resolved and negotiated without public confrontation with the Senior Minister. That opportunity has passed.

We hope you learn a little of the Board's reasoning on matters that the Senior Minister has repeatedly returned to in public meetings and in his written communication regarding:

- Criticism of secretly changing personnel structures.
- Criticism of financial performance
- Criticism of communication practices
- Criticism of violating bylaws and exposing the church to liability.

Criticism of secretly changing personnel structures.

The Senior Minister took a sabbatical which began after the Membership Coordinator turned in her resignation in October 2007. During sabbatical the Board discussed but took no action on the Board's desire to have

input into the hiring and job description of the next staff member to be hired. Board members examined the bylaws to determine more exactly who was in control of staff and under what authority.

On the Senior Minister's return, he effectively refused any collaborative or shared control.

The Senior Minister also has stated that the Board held secret meetings that exploited his sabbatical status. Regrettably, one executive committee meeting was held February 13, 2008 without the senior minister's presence (he was on sabbatical at the time) or the Director of Lifespan Religious Education's presence in his place; however, the Administrator who at that time reported to the Senior Minister, was present and could report on the meeting to the Senior Minister. The meeting was also reported in minutes and every effort was and will be made to include the minister and staff appropriately at all other meetings.

There was a Board minute notation as to staff structure discussions in the November 2007 minutes, and the Senior Minister was represented at all Board meetings during his sabbatical by The Director of Lifespan Religious Education as well as others on the staff to whom he delegated interim responsibility. The Board Chair researched the supervisory structure and found that at least two prior Boards requested that the Senior Minister act as the day-to-day supervisor of all staff (through the Administrator to whom they report; the by laws provide for only Ministerial Staff to report to the Senior Minister). The present Board's vote to rescind this action was delayed as much time was needed to consider this matter in more depth due to the many Administrative issues. The Board foresaw continuing Administrative difficulties which could endanger the church if the reporting structure was not changed. Discussions of compromise were unsuccessful.

By April 2008 the Interim Administrator had announced her resignation. The Board felt it very important to address the staff reporting structure before hiring another Administrator. At this point, the Board agreed to maintain the Membership Coordinator position "as is" for one year and concentrate on hiring an Administrator. In May, the Board voted to rescind the request made by prior Boards to the Senior Minister to do the Board's day-to-day supervision. This was reported in the minutes. In order to give this major change due consideration, the Board added two additional board meetings and some of the meetings stretched past 10 pm.

At the Congregational meeting in June 2008, the Board attempted to clarify, through a By Laws amendment, that it was not seeking to classify Jerry, Janice or interns as non-ministerial. The Senior Minister 's Amendment added Membership Coordinator to the list of positions that are ministerial. This amendment passed.

Criticism of Financial Performance

There have been deficiencies in the financial operations of this church for many years. Our allocations and spending from special dedicated funds has been opaque and mysterious even to highly interested members of the Board and Finance Committee for over five years at least since one member, Gary, began reviewing these matters; bringing our financial and bookkeeping practices up to standard has been a long term project of the Board.

Both Board and Finance Committee have acknowledged deficiencies in the Board's and Finance Committee's handling of changes in the approved budgets one year ago. We have spent a number of hours studying issues raised by the Senior Minister and appreciate his alertness on some of these issues. We have completed our review and corrections and would like to lay these matters to rest.

We believe by repeatedly raising issues on budget management, authority, approvals and communication to the congregation—areas that we have and will continue to address responsibly-- the Senior Minister is sowing seeds of distrust of the Board's (and the Finance Committee's and other committees') ability to manage the business affairs of the church as they are mandated to do by our by laws and by state law. We feel it is not helpful to members to have the Senior Minister doing this – while all members should thoroughly review and express concerns about any of the board's actions or failures to act, a climate of hyper-criticism is diverting energy away from constructive work.

We also believe that the solution to systemic problems in financial administration lies in 1) Board supervision of the Administrator, and 2) simplifying the financial structures so more Board, Finance Committee members and congregants are conversant in these matters. (The solution is not in researching and blame-casting issues which have been addressed by the Treasurer and the Finance Chair and the Board--see attached documents--and are partly attributable to four changes in Administrator over six years.)

We must assure that the administrator has appropriate authority to solve problems and pursue support of the mission and vision of Community

Church, supported by staff reporting to him/her. The Finance Committee would prefer to engage in this work than to address, yet again, the issue of computer spending, repairs and maintenance and advertising in 2007. We hope the Senior Minister will come on board and move ahead with us.

Criticism of Communication

When it comes to issues of communication, two points need to be addressed:

- 1) The process of establishing standards for Board minutes started with a presentation in August 2007 to Board members to streamline church record documentation. A task force was assigned to develop a policy and procedures for future Board minutes.
- 2) This Board and previous Boards have an agreed-upon policy of not discussing actions of the Board until the draft minutes are approved by the Board. This establishes a month lapse in reporting to the congregation. This agreement is being violated.

The Board Minutes used to contain more discussion and vote counts. When the Senior Minister could not convince the elected Clerk of the merits of all the changes he wanted to see in the draft minutes (before the minutes are seen by the Board, after they are drafted by Gary and during review by the Clerk, the Board Chair and the Senior Minister) the Senior Minister has frequently made numerous editorial points at Board meetings on items he wished to insert into the minutes. We listened courteously but we have not agreed to insert many of these items.

With perhaps some frustration at the amount of time taken to review the minutes, the Board adopted on September 24, 2008 a "Roberts Rule" policy of "no discussion" in the minutes. In practice it is closer to "no controversial discussion." It is hopefully not permanent, but it is caused by gridlock in our minutes review.

Criticism of violation of by laws and exposing the church to liability.

The Board is concerned with legal liability, but believes that the Senior Minister misinterprets the facts on matters on which he has sought opinions from legal counsel. The Board Chair was elected by the Board and acts on the Board's behalf in representing our interests and concerns.

The Senior Minister misstated the two situations cited in his letter to Paul Godlin, the church lawyer:

- 1) The authorization of the expenditure of \$3,500 for a security system was viewed as an urgent purchase by the Board, at the time, given the security issues involved. In principle, a budget of over \$2 million should allow for routine problem-solving management by the Administrator. Things do not stay exactly the same from one year to the next. The Administrator must be able to choose vendors or make purchases falling within approved categories of spending even though the chosen solution may not be the same as the solution chosen the year before, and may necessitate a small transfer from some other category that has funds that appear to go unspent. We do not see this as an unallowable budget change. The Board Chair, Treasurer, and subsequently the entire board approved this expenditure.
- 2) Regarding the Assessment Team, the Board Chair did not appoint a member to an ad hoc Board Committee. The Congregational Assessment team was a task force established by the Board; some members of the Board volunteered for this task force and had the authority to recruit new members from staff and the congregation.

The administrator and the Board Chair report problems fairly and respect our time by sometimes taking action in small “emergencies” to solve problems that we do not think are controversial. In reality, every organization has small emergencies every day, and someone at the top always has to decide them. Questions emerge on emergencies of all sorts: unexpected things, unbudgeted items, as well as unexpected opportunities that drop on the Church doorstep or come up from the staff. These no longer go through the Senior Minister. This may be frustrating to him but it is a more prudent management practice under the circumstances and the history of lay governance at Community. His power in matters other than worship and pastoral care is now advisory and limited to being a Board member, a Finance Committee member, a Building and Grounds Committee member, a Personnel Committee member, etc.

Closing:

You elected us. Look at who we are, and what we want for our church. Look at who serves the church in which capacities, for how long have they served you, and what we might possibly have to gain, other than a bold move to bring greater levels of transparency, simplicity, effectiveness

and openness to our back office, assisted, we hope, by modern technologies.

We also are keen on compassionate but strong administrative practice. We do not want "fighting" at all--it's not our style-- but we see that by having independent opinions and by disagreeing on a few issues with the Senior Minister, we have been subject to criticisms, which may have the effect of undermining lay governance and 'polity.' By having the Board supervise the Administrator, we find there is a calmer and more prudent supervisory climate and less stress for all.

Like you, we joined the Congregation after being inspired by the Senior Minister's wise and eloquent sermons, his love and concern for all of us, his thoughtful eulogies and excellent writing. We admire his ability to speak to the city and attract a diverse congregation. We are committed to continuing this tradition at Community and achieve greater levels of justice-making by building a thriving institution.

Yours in community,
Board of Trustees