

March 8, 2019

Dear Clergy, Moderators and Clerks of Session in the Presbytery,

As you have heard at our last few Presbytery meetings, one of our congregations had an oil spill last year. This has resulted in the creation of an Administrative Commission from the Presbytery to walk beside this congregation in unravelling the many legal, congregational and environmental challenges before them. Many challenging lessons are being learned, both by that congregation and by the Presbytery. This situation has reminded all of us the importance and the requirements of reporting that we all must live with. These may seem like a lot, but in fact, they are the usual fiduciary and management responsibilities of every congregation and for us as the Presbytery.

So in that spirit, I am writing to you as the Chair of the Board of Trustees to remind you of best practices related to insurance, liability and facility care:

- The Book of Order requires that each session, like all other governing councils of the church, “obtain property and liability insurance coverage to protect its facilities, programs, staff, and elected and appointed officers” (G-3.0112). You should therefore ensure that your church has insurance for property, liability, workers compensation and anything additional your insurance agent suggests given your particular situation. If you are concerned about the types of insurance you may need to carry or have questions, please contact the Presbytery Office and we would be glad to find the right person to talk with you.
- Regardless of who holds title to the property held by your congregation, the property “is held in trust nevertheless for the use and benefit of the Presbyterian Church (U.S.A.)” (G-4.0203). For this reason, it is important that the Presbytery of Southern New England be named as an **additional insured** in your policy, and that a current certificate attesting to this be kept on file in the Presbytery office.
- The Trustees remind churches to be up-to-date on their insurance policies and to promptly consult their agent regarding any claims against the property.
- All contractors who work on your building(s) and/or property must be insured. Failure to use contractors of any type who are not insured and cannot show proof of their own insurance should not do work on church

property, as it opens your congregation and the Presbytery up to liability that may not then be covered by our policies.

- If your congregation is engaged in **rental arrangements**, these must come to the Board of Trustees for consultation. Additionally, any individual, group or consistent renter of church property/space for any reason (even if for a one-day event) must provide proof of insurance and that must be on file before the event or rental agreement begins. Otherwise the event or rental agreement should be postponed or cancelled. These must be updated annually. As you are a non-profit entity, operating under the nonprofit status of the Presbyterian Church (U.S.A.), if you rent to a for-profit entity, please remember the tax implications that will result. Failure to file and adhere to these implications can result in loss of nonprofit status.
- It is important to have a process of yearly inspections of all major equipment on your property or in your building which includes but is not limited to: boilers, hot water heaters, septic systems, kitchen appliances, fire extinguishers, alarms, fire systems and so forth. If you have not had an inspection for this equipment in the last year, please schedule it immediately and then regularize and document annual inspections throughout your building. It is important to attend to repairs immediately and to not defer maintenance. **This is the best way to get ahead of problems before they become catastrophic.**
- Every congregation is **required** to have a Child Protection policy. If you do not have one and need assistance drawing one up and implementing it, please contact the Presbytery Office and we would be glad to talk with you.
- Documents from all committees of the congregation, including the Session should be maintained in the Church Office (not member's homes). Ideally, these items should be well-organized and in a secure, **fireproof** file cabinet or safe. It is good practice to scan all of these documents into a cloud-based secure drive in the event of damage to the church building. If you would like the Presbytery office to house these scanned documents on our cloud drive, we would be glad to do this for you.
- Many congregations are in possession of historical items. You may no longer want to keep these in your possession given their irreplaceable value. If you have items like this, they can be housed at the Presbyterian Historical Society and if they do not meet PHS's standards, your local historical society may be interested in them. For information about the

Presbyterian Historical Society visit their website and make an appointment to speak with one of their archivists who will be glad to assist you. You may also deposit records of the church such as minutes and registers at no cost (this is covered by per capita). Our Stated Clerk, the Rev. David Baer is available to talk with you about historical items, records and the Presbyterian Historical Society.

<https://www.history.pcusa.org/services>


Failure to manage your church property and building(s), to attend to repairs/upkeep and to report incidents when they happen **can result in court settlements** against the church and Presbytery, ultimately inhibiting your/our potential to engage in ministry.

Property is one of our most important vehicles to engage our communities in the ministry of Jesus Christ. It is important that our property and buildings are safe places and are also well-cared for so that the important ministry of your congregation is not interrupted. We invite you to use the **checklist** bullet list above to work with your property or building team and staff to prioritize these important issues.

Please send your Certificate of Insurance (declaration page), naming the Presbytery as an additional insured, and with coverage types and amounts listed, to the Presbytery Office **no later than April 15, 2019**. Your insurance agent can provide you with this document and in most cases, at your request, mail it directly to us.

As always we are here to assist and be in conversation with you. I hold you and the ministries that you are part of in my prayers regularly.

In Christ's Service,



Elder Ralph Reynolds  
President of the Corporation  
Chair, Board of Trustees