

The Council of the Presbytery of Hudson River asks the presbytery to concur with Overture 13-01 from Huntingdon Presbytery:

1. Whereas, the Jarvie Commonweal Service (the “Jarvie Service”) is an old age and relief service for people in the Greater New York City area (50 mile circle of Columbus Circle, Manhattan) that was created by Mr. James N. Jarvie in the 1920’s and subsequently transferred to the Board of National Missions (“BNM”) pursuant to a 1934 Trust Agreement;
2. Whereas, the 1934 Trust Agreement created the Jarvie Commonweal Service Committee and charged it with the responsibility of conducting the Jarvie Service, requiring that the BNM “shall charge said committee with the duty of administering the commitments above assumed and of adding thereto and continuing as outlined herein, in fact and in spirit, the Jarvie concept of Old Age Relief and Service.”;
3. Whereas, until mid-2105, the Jarvie Service and its staff were administered directly by the Jarvie Commonweal Service Committee created by the 1934 Trust Agreement, and Presbyterian Mission Agency (“PMA”) served as the employer of record for the Jarvie staff;
4. Whereas, in mid-2015, the Jarvie Service was dramatically restructured when the staff of the Foundation in secret collaboration with a few of the members of the Jarvie Commonweal Service Committee, when Foundation staff, in concert with PMA, orchestrated the sudden outsourcing of the Jarvie Service to a for-profit home care agency;
5. Whereas it is unknown whether the control of the trust and the corpus supporting it still resides in New York, as the trust explicitly requires;
6. Whereas Commissioner Resolution # 13-8 was filed with the 221st General Assembly out of which the Assembly directed the Friends of Jarvie (created by the General Assembly in 1994) to manage the funds and services and the Presbyterian Foundation to “Mediate their differences and report to the 223rd General Assembly”;
7. Whereas representatives of the Presbyterian Foundation and representatives of the Presbyteries of Elizabeth, Newark, Palisades, Hudson River, Southern New England, and New York City (all having communities lying within the 50 mile circle) met in person on November 15, 2017 pursuant to the action of the 222nd General Assembly;
8. Whereas the 222nd General Assembly created the Way Forward Commission and the All Agency Review Committee and tasked them with evaluating the current structures, mission, and ministry of the current General Assembly structures;
9. Whereas despite being made aware of the situation described in paragraphs 1-5, neither the Way Forward Commission, nor the All Agency Review Commission have not yet made any recommendations regarding the handling of the Jarvie fiduciary responsibilities; and
10. Whereas the actions of the 221st General Assembly on Commissioner Resolution # 13-8, the creation of the Way Forward Commission and the All Agency Review Committee have not resolved the underlying delinquency in the management and care of the Jarvie Fund.

BE IT RESOLVED: That the 223rd General Assembly direct the Moderator of the 223rd General Assembly to create an Administrative Commission to:

-Assess the current placement, management, and location of the Jarvie Commonweal Endowment Fund (now valued at \$90 million);

-Assess the current placement of responsibility for supervising the provision of services to the recipients of the prescribed generous Jarvie Service;

-Assess the current PCUSA Mission Agency and Foundation organizational responsibilities for both the Service services and the endowment of the Jarvie Fund; and

-Affirm the Foundation and PCUSA Mission Agency for engaging a chaplain and social worker to assist in administrating the Jarvie services.