



## *Massachusetts Town Clerks' Association*

# *The Public Recorder*

Volume 57, No. 91

MAY 2013

### **From the President, Donna Hooper**

#### **Members make the Association....**

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**S**ince the establishment of the Massachusetts Town Clerks' Association and the election of its first officers in 1922, the MTCA continues to play an important role as a professional organization supporting the Town Clerk as a key position in municipal government.

While the responsibilities of Town Clerk have evolved over time, the importance of the MTCA in the life of the municipal clerk is as critical today as in 1922.

Massachusetts' communities, and the municipal clerks and related agencies, have encountered and dealt with many issues over the past years that impact the life, role, and responsibilities of municipal clerks. It is with the joint efforts of the members of the MTCA that these challenges have been confronted and, in many cases, resolved.

It is not the work of one or of a few officers, or one or a few members, that make the Association. The MTCA continues through the efforts of its members. It is incumbent upon the membership to recognize and commit to how they can best contribute to the effectiveness of the MTCA, and to not only identify issues but to be a part of the solution that is in the best interest of our communities and the responsibilities of the position.

Our challenges continue – to address legislative matters, secure appropriate resources, strengthen communication with and between members, strengthen relationships with allied agencies and officials, and enhance the professionalism of and develop an appreciation for the position of municipal clerk.

Our ultimate challenge as members of the MTCA is to not defer to one or a few, but for each of us to become part of the solution in whatever way possible, large or small. Everyone has a right and need to be heard, not just those who speak loudly or repeatedly.

Our individual differences should be our strengths, not that which divides our or any organization. It is through a better understanding of the issues and challenges that membership can and should support the MTCA to work as an Association on behalf of its membership.

I extend my sincere appreciation to those who have stepped up and supported the MTCA, however and whenever possible, during my tenure as its President, and thank all for your continued recognition of your role in supporting the efforts of the MTCA.

## BEACON HILL REPORT

by Thomas Joyce, Esq.

To be certain, we have all been consumed with the horrific tragedy at the Boston Marathon and the week that followed. It seems like “breaking news” attracts our attention daily as we continue to process the enormity of the heartbreaking events. As we pray for the victims and their loved ones, I am reminded each Spring day of both the beauty and brevity of life.

Like most of us, Massachusetts's government was distracted but still managed, albeit with heavy hearts, to carry on business as usual. The House and Senate passed differing versions of a transportation infrastructure tax plan and appointed a conference committee to iron out their differences; the House debated and passed its version of the nearly \$34 billion fiscal 2014 state budget; many joint legislative committees heard hours of testimony on numerous bills of varying interest; and our State Secretary grabbed our attention when he was quoted in the local news service suggesting that the special election to fill the vacancy created by the resignation of John Kerry “is not an unfunded mandate” on cities and towns as proclaimed by Auditor Suzanne Bump, stating “it seems unreasonable that municipalities should be compensated dollar-for-dollar.”

Well, I am pleased to announce that the MTCA legislative committee has me working overtime to gather legislative support for the appropriate funding to cover the actual costs. One caveat to keep in mind however, the 2009 legislature funded that years special Senate election expense nine months after the actual election was completed. So it seems, at least from a recent historical perspective, that it may be a while after the June 25<sup>th</sup> election when the funding issue is finally resolved.

In another area of interest, the Election Laws Committee on April 3rd heard nearly 4 hours of testimony on Senate Bill 327, Chairman Finegold's omnibus election reform bill. As predicted, the vast majority of testimony was in favor of the bill, which includes, among a whole host of sections, provisions for random audits and early voting. There was also a push at the hearing for same day voter registration and unqualified absentee voting, although in my opinion, the latter requires a constitutional amendment to be-

come enforceable. In keeping with our enlightened approach to most petitions this year, I had the pleasure to briefly testify in favor of a number of the bill's sections, including those dealing with more local control for annual election training, creation of online portals for voter registration and voter status checks, the elimination of the requirement for check out tables, and finally the creation of an election task force.

I did spend most of my time allotted at the hearing asking the committee to include an “opt in” provision in the early voting section and additionally to replace the onerous audit provision with language inserting MTCA task force language to adequately study the issue. I will be meeting again with the Chairs over the next few days to reinforce our positions.

While there has been no affirmative action on Senate Bill 327 as of this writing, the committee did report out 6 bills favorably, which are required to go before the upcoming constitutional convention. I believe perhaps the most significant bill is Senate Bill 12 filed by Senate President Murray, which mandates unqualified absentee and early voting. Please note the process requires affirmative votes by 2 successive biennial legislatures (4 years) to pass a constitutional amendment. We have time to work!

On May 8<sup>th</sup> I will be meeting at my office with the Association's legislative committee to discuss strategy for the upcoming Election Laws Committee hearing at the Statehouse. The subject matters at the hearing will consist of 30 bills dealing with the administration of elections, candidacy requirements and federal voting methods, and a few home rule petitions. Importantly 2 of the bills to be heard are MTCA bills dealing with voter list dissemination and special election funding. I will report to you next month on our progress.

## REPORT OF THE MTCA NOMINATING COMMITTEE

The MTCA Nominating Committee has voted to present to the Massachusetts Town Clerks' Association the following slate of Officers at the June, 2013 MTCA Annual Summer Conference.

The officers of the MTCA shall be President, First Vice President, Second Vice President, Secretary and Treasurer. Each shall be elected at the Annual Meeting of the MTCA and shall hold office for one (1) year or until a successor is elected or appointed. Officers may serve no more than two (2) consecutive terms in office with the exception of Secretary and Treasurer who may serve no more than five (5) consecutive terms in office. The term for the three-E-Board members is three years.

**President** – Nancy M. Blackmer, CMC/CMMC, Town of Orange, *Franklin County*

**First Vice President** – Andrew T. Dowd, CMC, Town of Northborough, *Worcester County*

**Second Vice President** – Jeremy Gillis, MMC/CMC, Town of Easton, *Bristol County*

**Treasurer** – Robert E. Cutler, CMC/CMMC, Town of Foxborough, *Norfolk County*

**Secretary** – Mary Y. Ryan, CMMC, Town of Great Barrington, *Berkshire County*

(Term of Office July 1, 2013 – June 30, 2013 – first of possible five years)

### **Three members for the E-Board**

**Sharon George**, Town of Wilmington, *Middlesex County*

Term of Office: July 1, 2013 – June 30, 2016

**Joyce E. Green**, CMC, Town of Hubbardston, *Worcester County*

Term of Office: July 1, 2013 – June 30, 2016

**Tara J. Wick**, Town of Plympton, *Plymouth County*

Term of Office: July 1, 2013 – June 30, 2016

Respectfully Submitted:

Theodora K. Eaton, Chairman, Needham  
Ellen M. Glidden, Barre  
Nancy L. Morrison, West Bridgewater  
Denise L. MacAloney, Westminster  
Jane E. Hibbert, Yarmouth  
Nancy M. Blackmer, 1<sup>st</sup> VP, Orange  
*MTCA Nominating Committee*

### Western Mass. City & Town Clerks Association



#### ANNUAL PICNIC

at



Friday, July 26th

More details to follow

### Need to know what MTCA classes you have taken?

Contact Database Coordinator:

**Katherine Ingram**

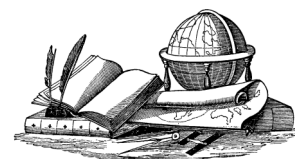
Town Clerk

20 Williams Street

Longmeadow MA 01106

413-565-4103

kingram@longmeadow.org



## MTCA CERTIFICATION EXAM (CMMC) IN JULY

The MTCA examination for Certified Massachusetts Municipal Clerk (CMMC) designation will be offered in July. Applications must be received by Administrator Barbara LaBombard by **JUNE 30<sup>th</sup>** for the July exam, which will be mailed between July 16<sup>th</sup> and 23<sup>rd</sup>.

Applicants must have at least **three years** experience as **Town Clerk** and must complete a minimum of six required courses sponsored by the MTCA.

The Administrator will verify the courses through the Education Committee. More information is available in the certification program brochure.

Completed exams must be postmarked no later than August 25<sup>th</sup> for the July exam. Applicants are strongly urged to return the completed answer sheets by certified mail, return receipt requested.

Applicants will be notified by mail of the results of their exams by September 15<sup>th</sup>. A copy of the notification must be submitted with the application for MTCA certification. The notification of successful completion of the exam will be valid for one year and will have an expiration date printed on it. If an appli-

cant is not certified within one year, the test must be repeated.

The passing score for the exam is 80. Applicants are advised that they will need access to an updated copy of the Massachusetts General Laws to complete the exam successfully.

A non-refundable fee of \$50.00, made payable to the MTCA, must be submitted with the application. This examination is offered twice yearly – during the months of January and July. Application forms for the examination are available from the administrator, Barbara LaBombard. For more information or to receive the exam packet, please e-mail [city-clerk@easthampton.org](mailto:city-clerk@easthampton.org) or call 413-529-1460.



## MTCA CONFERENCES

2013	2014
<p><b>MTCA SUMMER CONFERENCE</b> Sea Crest Beach Resort N. Falmouth, MA <i>June 5 - 7, 2013</i></p> <p><b>MTCA FALL CONFERENCE</b> Jiminy Peak Mountain Resort Hancock, MA <i>October 2 - 4, 2013</i></p>	<p><b>MTCA WINTER CONFERENCE</b> Sturbridge Host Hotel Sturbridge, MA <i>February 5 - 7, 2014</i></p> <p><b>MTCA SUMMER CONFERENCE</b> Sea Crest Beach Resort (Tentative) N. Falmouth, MA <i>June 11 - 13, 2014</i></p>

## Business Meeting Sturbridge Host Hotel February 7, 2013

- ◆ Donna Hooper, President of the Massachusetts Town Clerk's Association, called the meeting to order at 12:42 PM.
  
- ◆ President Hooper introduced Massachusetts State Auditor Suzanne Bump. Auditor Bump thanked the Association for the invitation, and recognized MTCA Legislative Agent Thomas Joyce, Representative Alice Peisch (in abstentia) and Braintree Town Clerk Joseph Powers as old friends. Auditor Bump declared that her philosophy is that government works better when it is efficient, effective, accountable and transparent. She has made these 4 ideals the hallmark of her department, believing that when they are combined they give a full voice of accountability to the taxpayer. Auditor Bump gave an overview of the "unfunded local mandate" aspect of 1980's Proposition 2 ½ law. The Auditor paid close attention to reimbursement to local communities for statewide special elections. The Auditor has declared the upcoming special state primary and election unfunded mandates under the law, and has requested the General Court to do "forward funding" of these elections based upon the 2009/2010 election numbers plus 5%. The Auditor did state that forward funding was unlikely at this time, so a reimbursement would be the more likely outcome. The Auditor then spoke to her effort to declare aspects of the McKinney-Vento Act (dealing with homeless veterans) as unfunded local mandates. The Auditor credited her department in partnership with local governments in recovering \$11.3 million for local governments. The Auditor pointed to this as a shining example of collaboration between state agencies and local government. The Auditor spoke to her department commissioning several Municipal Impact Studies. She stated this was further evidence of the Auditor reaching out to local municipalities to ensure the unfunded local mandate law was followed. The Auditor spoke she wished to conduct similar impact studies on State agencies as well. The Auditor concluded by stating that all levels of government must break out of old molds, join the 21<sup>st</sup> century and maintain the public's trust by do-

ing better and being transparent.

**SECRETARY'S REPORT-** No Report at this time.

**TREASURERS REPORT-** Treasurer Robert Cutler's report was unanimously approved.

**FIRST VICE PRESIDENT'S REPORT-** Nancy Blackmer thanked all participating vendors.

**SECOND VICE PRESIDENT'S REPORT-** Andrew Dowd gave appreciation to the Sturbridge Host Hotel not only for assisting in putting on the conference, but the Hotel's incredible generosity in regards to allowing registrants to check out early and still get the reduced conference rate due to impending weather. Vice President Dowd commended the hotel for their policy and noted this was not the first time the Host Hotel had worked with registrants in this manner.

**LEGISLATIVE REPORT:** Chairman Laurence Pizer updated the membership on several items of interest to the Association in the upcoming session of the General Court and Senate. He specifically spoke to Senate Bill 1 filed by President Murray which would allow absentee voting at-will and also has an early voting component. Chairman Pizer mentioned that this and similar bills will have cost implications. Chairman Pizer then briefed the membership on the 6 bill recommended by the Legislative Committee and affirmed by the Executive Board to constitute the Association's Legislative Agenda for the Upcoming legislative session:

1. Re-file of a bill eliminating the Cancellation Device
2. A Training Bill, mandating Town Clerks receive annual Election Training.
3. A bill prohibiting the scheduling of a second, local election on State election days .
4. A re-file of a bill making the Street Listing a non-public, restricted record.

*continued on page 6*



***MTCA Business Meeting cont.***

5. A bill to codify and mandate local reimbursement for Special state elections.
6. A bill establishing an Election Task Force on the subject of post-election audits.

A motion was made and duly seconded to approve the six bills as the Legislative Agenda for the Massachusetts town Clerks' Association for the upcoming legislative session. This motion was adopted unanimously.

**LEGISLATIVE AGENT UPDATE:** Chairman Pizer Introduced the Association's new Legislative Agent, Thomas Joyce of the firm Joyce and Joyce. Mr. Joyce gave a brief history on his career as a lobbyist and commented that the Legislature's members may change, but the Legislature itself stays the same. Mr. Joyce spoke to the fact that change is good. And that he looks forward to working with and learning about the Association and our needs. Mr. Joyce reported that James Murphy of Weymouth will be the new chair of the House's Committee on Election Laws and that Barry Finegold of North Andover will remain as the chair on the Senate side. Mr. Joyce reported that the immediate past House chair on the Committee on Election Laws, Aaron Michlewitz was lead sponsor on our top 3 priority bills (Cancellation device, Task Force and Training) Mr. Joyce thanked Legislative Committee members Kathy Nagle, Joseph Powers and Robert Cutler for their efforts in assisting getting the legislation in proper form, summarized and filed. Mr. Joyce stated he believed that hearings on the various election bills that did not need ratification by a constitutional convention (for example, changing the definition of absentee voting) would probably begin being heard in late April. Mr. Joyce thanked the membership and again stated his enthusiasm to working with the association.

**CERTIFICATION ADMINISTRATOR:** Barbara LaBombard was called upon to present CMMC awards.

The following Clerks were awarded new CMMCs:

**Ora Finn, Dadey  
Robert Craver, Webster**

Third Re-certification was granted to the following Clerk:

**Carol Mollica, Wrentham**

- ♦ President Hooper then called upon John Dresch of IMAS, LLC . Mr. Dresch presented the Association with a check for \$200 to establish a scholarship in the name of John Hanright, Town Clerk in Stoneham, who passed away in 2011.
- ♦ William Campbell, City Clerk in Woburn, spoke to 2 bills he has filed that would change the date of the State and Presidential primaries, and also change how Town and ward political committees are elected. Mr. Campbell asked both the MTCA and MCCA membership to support these bills.
- ♦ President Hooper thanked everyone involved with the conference, and all the members of the MTCA and MCCA for attending. She called for a motion to adjourn. Motion made and seconded. Meeting adjourned at 1:39PM.



## MTCA WEBSITE

The Massachusetts Town Clerks' Association is pleased to announce the roll-out of the newly created web site [www.masstownclerks.org](http://www.masstownclerks.org).

This web site provides information on the MTCA and its conferences, the IIMC, New England Municipal Clerks, Massachusetts' county clerk associations, state agencies, and other affiliated organizations.

The web site contains both public information and information accessible via the 'members only' section.

'The Public Recorder' will continue to be issued by email through the June edition (end of year) in addition to posting on the website. **Beginning in August 2013, 'The Public Recorder' will no longer be mailed, except for the rarest of circumstances.**

As it continues to be developed, this dedicated web site is intended as an ongoing resource for municipal clerks to access current and archived information on MTCA related materials including survey results, legislative issues, up to date reference materials on Elections, Vital Records, and municipal clerk core responsibilities.

The MTCA Communications Committee welcomes your comments as it develops this site as a great resource to municipal clerks.

[www.masstownclerks.org](http://www.masstownclerks.org)

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# Newsletter of the MTCA

584 Main Street  
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## **Massachusetts Town Clerks Association**

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### **First Vice-President**

Nancy M. Blackmer, MMC/CMMC, Orange

### **Second Vice-President**

Andrew T. Dowd, CMC/CMMC, Northborough

### **Secretary**

Jeremy P. Gillis, MMC/CMMC, Easton

### **Treasurer**

Robert E. Cutler, Jr., CMC, Foxborough

### **Editor**

Nancy E. Burnham, CMMC, Athol

## **The Public Recorder**

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