



Massachusetts Town Clerks' Association

The Public Recorder

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From the President, Nancy M. Blackmer

Many towns are looking at purchasing new voting equipment. Just a reminder, if your town does purchase new equipment, your Board of Selectmen must vote to discontinue use of the existing equipment and approve use of the new equipment. A copy of this vote must be sent to the Secretary of State by the Town Clerk within five days after the vote and must be done at least 120 days prior to the primary or state election at which the machines are to be used. More detail on this can be found in MGL chapter 54, section 34. If you have questions about this, contact the Elections Division for more guidance. The important part is to make sure they are notified at least 120 days prior to the election.

As my term serving as President of this great Association winds down, I want to take this opportunity to say thank you to everyone who has helped in any way these last two years. There is so much work that happens "behind the scenes" and we are very lucky to have great volunteers helping with everything. Many of you have helped me in so many ways, I am grateful for your help and your friendship. The job of President cannot be done without the support of the membership.

The summer conference will soon be here. If you plan to attend and have not signed up, please do so soon. The Education Committee has lined up some great classes. It will be held on June 10-12 at Sea Crest Beach Hotel in North Falmouth. I hope to see many of you there. We will again be

honoring the retired clerks and invite them to attend the banquet on Thursday night. If you know of a retired clerk, please let them know. The Association will cover the cost of their meal. If they wish to spend the night at Sea Crest, they can contact Sea Crest and let them know they are with the MTCA. Please let me know if you know someone wishing to attend – we also need to know their meal choice – beef or fish.

More volunteers are still needed for the various committees within our Association. If you are interested, please contact me at townclerk@townoforange.org. There is a list of the committees and the terms on the MTCA website if you want to see what is available.

Our June conference is the time when we honor Clerks for their years of service. If you have been the Town Clerk for 10, 15, 20, 25, 30, 35, or 40 years, please let me know as we have pins to recognize these milestones. If you are unable to attend, please ask a neighboring clerk to pick up your pin – the post office does not like when I mail these pins.

BEACON HILL REPORT

by Thomas Joyce, Esq.

The Commonwealth's fiscal 2016 budget is currently the main legislative focus at the State House. Merely two weeks ago, after disposing of 1100 amendments to the 38 billion dollar House budget in record time the House unanimously passed it's version of the spending plan.

Now the bill is before the Senate where it will be debated next week beginning Tuesday. Proposed amendments to the Senate Ways & Means proposal were due by 5 pm on May 14th. Upon careful review of nearly 1000 amendments I determined there are no pending amendments harmful to the MTCA.

I am pleased to inform you that the Secure Vital Records Trust Fund which was proposed by the Governor and included in the House Ways & Means plan was stricken by an amendment filed by Representative John Mahoney of Worcester and approved by House Ways & Means Chair Brian Dempsey of Haverhill.

However, our House victory may be short lived if the Senate holds firm with its plan. The proposal reported out of the Senate Ways & Means committee includes 3 sections creating the Vitals Trust Fund and setting a surcharge to be collected by clerks at \$6.00. Once again we find ourselves in an uphill fight on this issue.

Senator O'Connor Ives and Senator deMacedo have co-sponsored an amendment to delete those sections for us. I will be working closely with Senate Leaders to attempt to garner support for our amendment. You will recall the same proposal was pushed by former Governor Patrick and is now being pushed by Governor Baker largely due to the Department of Public Health reportedly running nearly 2 million in arrears due to lack of funding for this system created in 2010. This issue has been proposed and defeated 6 times since I started representing you a little over 2 years ago. Our argument that it is an unfair administrative burden for clerks to act as a collection agency for the state is beginning to fall upon deaf ears.

While no public hearings have yet been scheduled on bills we had filed for this session, the Joint Committee on Election Laws has been working to arrange nearly

150 bills for hearing over the coming months.

On a side note, the International Institute of Municipal Clerks met at the State House recently. Twenty clerks from across the country and Europe were introduced in the House chamber. Additionally, Representatives John Mahoney and Jamie Murphy and also House Clerk Steve James briefed them in the House Members Lounge. Jeremy Gillis was on hand to make introductions. I was very happy to arrange this, as it was apparent all clerks attending were thrilled.

Rest assured I will be standing vigilant with the MTCA legislative committee to make certain your voice is heard and we continue to be enormously successful on the public policy front.

REMINDER FROM THE OFFICE OF THE ATTORNEY GENERAL- MUNICIPAL LAW UNIT

Updating By-laws on the Town's Website

A friendly reminder from the Municipal Law Unit - please do not update the text of your Town's by-laws as they appear on the Town's website to reflect the changes made at Town Meeting until the by-laws have been approved by the Attorney General's Municipal Law Unit and posted or published pursuant to G.L. c. 40, § 32.

PROPOSED MTCA BYLAW AMENDMENTS

Below is a listing of the proposed MTCA bylaw amendments which will be brought to the Membership for a vote at the June 11, 2015 Business Meeting at Sea Crest. *The E-Board voted its approval at the December 2, 2014 E-Board meeting.* A red-lined version of the bylaws (comparing the existing bylaws with the proposed amendments) is available on the Association's Web Site – www.masstownclerks.org. If you have questions about these amendments, please direct them to a member of the MTCA Bylaw & Policy Review Committee—Anita Tekle (Concord); Denise Macaloney (Westminster); Amy Warfield (Burlington); Marie Ryan (Great Barrington); and Debbie Davenport (Weston).

The Bylaw & Policy Review Committee has been meeting for the past several years to review the bylaws and policies. A number of changes were brought to the Membership for approval last year. While many changes were approved at that time, the E-Board asked the Review Committee to take another look at specific changes being proposed for Article III (Membership and Dues), so those changes were deferred. These are now being brought to you for consideration at this time, with the support of the E-Board.

Article III, Section A, Subsection 1, Active Members

Delete the second sentence of the paragraph and replace it with the following:

“Only Active Members are eligible for election as an Officer, as a Member of the Executive Board, or as a member of the Legislative, Budget or Nominating Committees.”

Article III, Section A, New Subsection 2, Associate Members

Add a new category of membership as follows:

Associate Members:

Assistant Town Clerks and other Town Clerk Office staff members shall be eligible to become As-

sociate members of the MTCA.

Article III, Section A, Renumber existing Subsections 2 and 4 as follows:

Subsection 2 – Retired Members – change numbering to Subsection 3

Subsection 4 – Honorary Members – change numbering to Subsection 6

Article III, Section A, Subsection 3 – Affiliate Members

Change numbering to Subsection 4 and add the word “associate,” after the word “active” so that the subsection reads as follows:

“Affiliate Members:

Shall be available to City Clerks, Election Commissioners and Registrars of Vital Records for Cities, who are not eligible for active, associate, or retired membership.”

Article III, Section A, New Subsection 5, Transitional Members

Add a new category of membership as follows:

Transitional Members:

Any person who has held the position of Town Clerk in Massachusetts for at least three (3) consecutive years, but who is no longer serving as a Town Clerk is eligible to be affiliated with the MTCA as a “Transitional Member” for a period of up to one year following the date of cessation of service as a Town Clerk. The following criteria must also be met in order to qualify for Transitional Membership:

- a. Active membership in the MTCA, with dues paid in full, for the three-year period prior to cessation of service as a Town Clerk.
- b. Not simultaneously eligible for Associate, Affiliate, or Retired Membership.
- c. Actively seeking employment in a Municipal Clerk's Office.

continued on Page 4

*Proposed MTCA Bylaw Amendments (cont.)***Article III, Section B, Dues Structure, Introductory Paragraph**

Add the phrase “in the relevant membership category” after the word “dues” in the first sentence; delete the last sentence. The paragraph would now read as follows:

“Payment of dues in the relevant membership category is required in order to maintain continued membership status, with access to meetings and conferences, and for Active Members to maintain voting privileges. Dues paid by a community is for a fiscal year, and membership is transferred to a newly elected or appointed Town Clerk during the same fiscal year.”

Article III, Section B, Dues Structure

Changes as noted below:

Active Members – no change in dues (last revised 6/2/2010)

Associate Members -- \$25.00 (new category)

Retired Members – no change in dues (renumbering only)

Affiliate Members – no change in dues (renumbering only)

Transitional Members – 50% of previous Active Membership Dues, with a minimum payment of \$15.00 (new category)

Honorary Members – no fee (renumbering only)

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 30th** for the July exam, which will be mailed between July 16th and 23rd.

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 25th 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 15th. 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 applicant 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 or call 413-529-1460.

NEMCI&A - UPDATES!!**Hello Clerk World:**

Save the date...July 11th to the 17th

Please join us on the campus of Plymouth State University, in New Hampshire's beautiful Lakes Region. If you have never been to NEMCI&A, please plan to come in July of 2015. It will be the best decision you will ever make for your community, your profession and most importantly, yourselves!!!

Town and City Clerks positions used to be secure. If you were elected or appointed and did a good job you could hold that seat until you decided to retire. If you check out your old books you will see that some folks actually held the position for 40 or more years.

Today, nothing is secure. We all need to continually show that we are educating ourselves, and working to make our offices more professional and user friendly.

How many people ask you if you hear of a job opening in your town to let them know or to give them a

good reference. There are people angling to get appointed or are waiting to run for your seat. You can, however, work to continually upgrade yourself. Work for that certification. Get your CMC. Become an MMC. Get your State certification. One big thing that will help you on all of these levels is to attend the New England Municipal Clerks Institute and Academy.

It is never too late. Go to: www.nemcia.org and click on the link to the NEMCI&A website. If you have never been, sign up for the Institute. If you graduated from the Institute; come to the Academy – we are working on the curriculum now for some super courses this summer!!!

Looking forward to seeing you at NEMCI&A!

Ann Quirk
NEMCI&A Chair

**MTCA CONFERENCES****MTCA SUMMER CONFERENCE****JUNE 10 - 12, 2015**

SEA CREST BEACH HOTEL
350 QUAKER ROAD, FALMOUTH MA
www.seacrestbeachhotel.com

MTCA FALL CONFERENCE**SEPTEMBER 30 - OCTOBER 2, 2015**

SHERATON SPRINGFIELD MONARCH PLACE HOTEL
ONE MONARCH PLACE, SPRINGFIELD, MA
www.sheratonspringfield.com

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- Mary-Ellen Lannon Town Clerk of Winchester

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The Public Recorder

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