



## Massachusetts Town Clerks' Association

# The Public Recorder

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### From the President, Nancy M. Blackmer

I think Spring might finally be here. I hope we are past all the snow and cold weather.

For several years, The MTCA has seen the benefit of having a large amount of funds held in reserve. These funds have allowed the MTCA to lower member dues. Further, we have been able subsidize both registration fees and meal costs for our conferences. Unfortunately, the Association is no longer in a position to do this. Over the last several years, the cost of conferences has increased but we have not returned to the higher registration fee. While most of our speakers at conferences are not paid, the cost of the AV equipment (such as screens, electricity, wireless internet, and microphones) and morning and afternoon breaks has increased substantially.

At the recent E-Board meeting, we made the difficult but necessary vote to return the Conference Registration Fee from \$25.00 to \$50.00. This return to a \$50 registration fee will allow the MTCA to continue to offer conferences of the caliber the membership is accustomed to. We understand and considered the hardship this may place on already strained budgets. Scholarship monies are available to those who are unable to cover this increase.

As President, I present a list of people to be appointed to our various committees at the June E-Board meeting. I am working on putting this list together so if anyone is interested in serving the Association, please contact me to let me know which commit-

tee you would like to serve ([townclerk@townoforange.org](mailto:townclerk@townoforange.org)). If you currently are serving and your term will be expiring, please let me know if you wish to continue as well. The following is a list of committees that will need to have appointments: Budget, CMMC Certification/Examination Board, Clerk's Manual Committee, Education Committee, Legislative Committee (full member and an alternate), Nominating, Social Secretary, Communications, and Lobbyist Review Committee. The Nominating Committee is also looking for three people to serve on the E-Board for three year terms. If you are interested in serving on the E-Board, contact Tedi Eaton in Needham ([teaton@needhamma.gov](mailto:teaton@needhamma.gov)). If you are unsure what a particular committee does, or how much time it might involve to serve on the committee, you can contact me or a member of that committee.

Our Summer Conference is fast approaching – the brochure will be going out soon so be watching for this. The dates are June 11-13, 2014 at Sea Crest Beach Hotel. I hope to see many of you at the conference.



## BEACON HILL REPORT

### by Thomas Joyce, Esq.

Over the last month the legislature at the state capital has been working on a number of time sensitive issues. The sudden announced closure of a hospital in North Adams, potentially leaving hundreds without a regional treatment facility; and the passage of legislation to freeze, at least temporarily, unemployment insurance rates to name but a few.

I had hoped to be in a position to report some tangible progress toward accepting a bill similar to House Bill 3788, which the MTCA Executive Board and Legislative Committee unanimously endorsed last November. However, the Elections Conference Committee has not formally met since the first meeting over a month ago. You may note that four other committees on conference have not yet come to agreement either. While that may be little consolation, I can report that Governor Patrick has weighed in on the issue of elections. His staff has been directed and is lobbying in favor of a number of the Senate provisions, including same day registration and random audits. On the other hand I am working to preserve the provisions of the

House bill and urging the legislative leadership and the conferees to enact that version.

Along those lines, your President, Nancy Blackmer two weeks ago wrote a letter to House Chairman James Murphy, forcefully stating the drastic fiscal impact on municipalities if the unfunded mandates adopted by the Senate become law. Additionally, the MTCA Legislative Committee met in Boston last week and instructed me to continue to rigorously urge support of the House bill.

Legislators are eagerly watching the calendar for the arrival of April 29<sup>th</sup>, the filing deadline for potential candidates to file with the State Secretary. With 2014 being an election year formal legislative sessions will conclude on July 31<sup>st</sup>. To be certain, top to bottom campaign season is upon us.

I am hopeful to have positive news to report next month.

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## 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 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](mailto:city-clerk@easthampton.org) or call 413-529-1460.

## 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 12, 2014 Business Meeting at Sea Crest. The E-Board voted its approval at the March 27, 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](http://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 couple of years to review the bylaws and policies. A number of issues were identified where there is inconsistency within the bylaws and between the bylaws and policies, where the language is ambiguous, and/or where the word flow or punctuation should be improved. We are happy to report that the E-Board approved on Feb. 5, 2014 a revised "Committee & Board Policies & Procedures Manual," which is available on the MTCA's Web Site. We are now prepared to recommend to the Membership the following bylaw amendments.

1. Throughout the document the word "bylaw" is sometimes spelled with a hyphen and sometimes without. We recommend that we go with Webster's spelling and have changed the spelling to "bylaw" throughout the document.

### 2. Article III, Section A, Membership

Add the following introductory paragraph:

Membership entitles all members to attend meetings and conferences, and to have access to the Members-Only section of the Web Site, including access to the Public Recorder. Only Active Members have voting privileges.

### 3. Article III, Section A, Subsection 1, Active Members

Delete the following words in the 2<sup>nd</sup> sentence:

"...are members of the MTCA and"

### 4. Article III, Section B, Dues Structure

Add the following introductory paragraph:

"Payment of dues 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. A Retired Clerk may attend and participate as a non-voting member upon payment of dues as a Retired Member."

### 5. Article IV, Section A, Meeting

In the second sentence delete the following phrase: "...fourteen (14) day written notice" and insert the following in its place: "...fourteen-day (14) written notice".

### 6. Article VI, Section B, Parliamentary Law

Delete the words "Roberts Rules of Order" and insert the following in its place: "The New Roberts Rules of Order, Revised Edition".

### 7. Article V, Duties of Officers, Section A, President

In #3, delete the word "committees" and insert the following in its place: "committee members".

In #4, delete the existing sentence and substitute the following:

"Shall make appointments to fill vacancies on the Executive Board, with the approval of the Executive Board. Such appointments shall be only until the next Annual Election, at which time the position shall be filled by election for the remainder of the vacant term."

### 8. Article V, Duties of Officers, Section E, Treasurer

Insert the word "financial" before the word "report" and add the following at the end of the sentence: "on the status of the Association's budget and funds" so that the sentence would now read as follows:

"Shall give a financial report at each meeting of the MTCA and Executive Board on the status of the

***Proposed MTCA Bylaw Amendments cont.***

Association's budget and funds."

**9. Article VI, Executive Board, Section A, Membership**

In #1, insert the following at the end of the second sentence:

"...and shall serve three-year, staggered terms, with terms for three members expiring each year."

In #2, delete the following phrase: "...in addition to one full three-year term" and insert in its place the following:

"..., who may serve the remainder of the incomplete term and is eligible for election to an additional full three-year term."

**10. Article VI, Executive Board, Section C, Appointments**

Delete the existing paragraph prior to the chart and substitute the following:

All appointments shall be made by the President, with the approval of the Executive Board. The President shall seek input from the membership and the Executive Board for nominations for all positions whenever possible. Terms for the Legislative Committee shall be from January 1 to December 31, to coincide with the legislative calendar. Appointments are to be made by December 31. Terms for the Nominating Committee shall be from January 1 to December 31. Appointments are to be made by December 31. Terms for all other appointments shall be from July 1 to June 30. Appointments are to be made by June 30.

In the chart, add the following after the Office Public Recorder Editor:

"---serves by mutual agreement and at the discretion of the President and E-Board"

Change the term for Public Recorder Editor from "3 years" to "Indefinite".

In the paragraph following the chart, 2<sup>nd</sup> sentence, change the word "in" to "on" and insert the following

phrase after the word "committee": "...without approval of the Executive Board", so that the 2<sup>nd</sup> sentence would now read as follows:

"The President shall have full power to fill all vacancies on any committee, without approval of the Executive Board, until the next annual appointment."

**11. Article VI, Executive Board, Section D, Meetings**

In #4, delete the first sentence and insert the following in its place:

"Votes may be cast in person or by postal mail, telephone, email or other electronic means of voting. When votes are conducted via email or by other electronic means, Executive Board members shall be given a minimum of 24 hours to cast a vote before the tally is finalized."

**12. Article VII, Committees and Appointed Officers, Introductory Section**

Delete the first sentence in the 2<sup>nd</sup> paragraph of the introductory section and replace it with the following sentence:

"No committee of the Association shall be authorized to create any financial liability unless funds have first been budgeted and authorized by the Executive Board as to their purpose and amount."

**13. Article VII, Committees and Appointed Officers, Section B, Legislative Committee**

Delete subsection 1b and replace it with the following:

"Full committee members shall be appointed by December 31 for staggered three-year terms which run from January 1 through December 31, so that not more than three (3) members' terms expire in the same year."

In subsection 1c, delete the following phrase: "...appointed by June 30 for a term to expire December 31<sup>st</sup>" and insert in its place the following phrase:

"...appointed by December 31 for a one-year term to expire December 31<sup>st</sup>"

***Proposed MTCA Bylaw Amendments cont.*****14. Article VII, Committees and Appointed Officers, Section B, Legislative Committee**

In subsection 3b delete the first sentence and replace it with the following two sentences:

“The Legislative Committee and the Executive Board shall, if they deem appropriate and necessary, take a position on other legislation and shall advise the MTCA members of their combined action. This notification shall be via email and shall be included in the Public Recorder and/or on the MTCA Web Site.”

**15. Article VII, Committees and Appointed Officers, Section C, Nominating Committee**

In #2, at the end of the section, insert a close parenthesis at the end of the word “retirement” .

**16. Article VII, Committees and Appointed Officers, Section D, Budget Committee**

Add a new #5 after the existing #4, to read as follows:

“5. In conjunction with the Treasurer, monitors budget during the fiscal year.”

**17. Article VII, Committees and Appointed Officers, Section E, Education Committee**

In #1, delete the following phrase in the middle of the sentence: “...for a three-year term by June 30” and insert in its place the following phrase:

“...by June 30 for three-year staggered terms”

In #2, delete the word “agenda” and substitute in its place the word “schedule”.

**18. Article VII, Committees and Appointed Officers, Section H, MTCA Certification Program**

Under “Purpose” delete the second sentence and insert the following in its place:

“Establishes course guidelines for the Education Committee which are consistent with the CMMC certification program.”

Under Subsection a, delete the words following the phrase “Executive Board” and replace them with the following:

“...by June 30 for three-year staggered terms, so that not more than two members are replaced in any one year.”

Under Subsection c, delete the existing sentence and replace it with the following:

“The Certification Administrator and Chairman of the Certification Examination Board shall be responsible for the security of the certification examination.”

**19. Article VII, Committees and Appointed Officers, Section I, MTCA Conference Program**

Under “Purpose” delete the following phrase: “...for a three-year term by June 30” and insert in its place the following phrase:

“...by June 30 for a three-year term.”

Under #2a4, add the word “Conference” prior to the title “Registration Administrator”

Under #2a5, delete the word “Registration” and insert in its place the word “Database” so that the title will accurately read “Education Database Coordinator”

Under #2a6, delete the words “for a two-year term by June 30” and insert in its place the following: “...by June 30 for a two-year term.”

**20. Article VII, Committees and Appointed Officers, Section J, Public Recorder Editor**

Under Section a, delete the phrase “by June 30” at the end of the sentence and insert the phrase “by June 30” after the word “Board”.

**21. Article VII, Committees and Appointed Officers, Section L, Clerks’ Manual Committee**

Add a hyphen between the words “three” and “year” so that the phrase will read “three-year term”.



## MASSACHUSETTS TOWN CLERKS' ASSOCIATION OFFERS CONFERENCE SCHOLARSHIPS!

By Andy Dowd

In August 2008 the MTCA Executive Board voted to create scholarship funding for the MTCA conferences for municipal clerks who may have trouble obtaining financing from their communities to attend the MTCA conferences. **This is completely separate from the NEMCI & A scholarships!**

The Massachusetts Town Clerk's Association holds three conferences annually in three different locations across the state in order to make attendance as easy as possible for the greatest number of municipal clerks in an effort to provide guidance and education to our membership. The MTCA Mission is **"The MTCA shall be dedicated to the purposes of increasing the proficiency of Town Clerks and other local government officials, of strengthening the quality of local government through professionalism, and of promoting recognition of the importance of the office of the Town Clerk."**

The application and criteria are printed below and will be available prior to each conference. If you can meet the criteria and hope to attend the Spring Conference in June, please fill out the application and send it to **the MTCA Scholarship Chair Andrew T. Dowd, 1<sup>st</sup> Vice President, MTCA, 63 Main St., Northborough, MA 01532 by May 9, 2014.**

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### MASSACHUSETTS CONFERENCE SCHOLARSHIP CRITERIA

1. The Executive Board shall determine, annually, the amount of scholarship monies to be allocated. Scholarships are only for those applicants who have been denied funds from their municipalities.
2. It shall be the Scholarship Committee chaired by the 1<sup>st</sup> Vice President that shall award the scholarships.
3. Scholarship awards will be limited to one person per office with the Clerk having first preference.
4. Applicant must be a Town Clerk or Assistant Town Clerk.
5. An applicant must be a member of the MTCA.
6. An applicant must have requested funds from his/her municipality and include a letter of denial for such funds.
7. The deadline for filing an application with the 1ST Vice President shall be 30 days prior to conference.
8. Applicants within a 50 mile radius - scholarship may consist of registration fee, lunch, and banquet. Applicants outside a 50 mile radius - scholarship may consist of registration, meals and hotel accommodations if requested.
9. Applicants are encouraged to find a roommate prior to applying for a scholarship. Applicants requesting a single room rate may be required to show justification
10. Preference will be given to first time applicants.
11. MTCA Scholarship application and information provided is confidential.

# MASSACHUSETTS TOWN CLERKS ASSOCIATION

## ~ SCHOLARSHIP APPLICATION FOR MTCA CONFERENCES ~

	<u>YES</u>	<u>NO</u>
1. I am a Town Clerk or an Assistant Town Clerk.	_____	_____
2. I am the only applicant from my municipality.	_____	_____
3. I have been denied all or partial funding from my municipality and I am enclosing the <u>letter of denial</u> .	_____	_____
4. I am a member in good standing of the Massachusetts Town Clerks' Association.	_____	_____
5. I have paid my annual dues to the Massachusetts Town Clerks' Association and have been a member for at least one year prior to the date of this application.	_____	_____
6. Have you been awarded a scholarship in the past? If so, when? _____	_____	_____

If you have answered **YES** to questions 1-5, you may apply for financial assistance. If you have answered **NO** to any of the above, you must include a letter of explanation stating why you have not complied with the above criteria. All applications must be received 30-days prior to the MTCA Conference.

**Please note:**

**If you live within a 50-mile radius of the conference site, scholarship funding is limited to conference registration, lunch, and banquet.**

**If you live outside a 50-mile radius from the conference site, scholarship funding may include registration, meals and hotel accommodations.**

NAME \_\_\_\_\_ ADDRESS \_\_\_\_\_

TOWN/STATE/ZIP \_\_\_\_\_

JOB TITLE/TOWN \_\_\_\_\_ PHONE \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

AMOUNT REQUESTED \$ \_\_\_\_\_ My Municipality will pay \$ \_\_\_\_\_

Return this application, letter of denial and any necessary letter of explanation to the MTCA Scholarship Chair: Andrew T. Dowd, 63 Main St., Northborough, MA 01532 or e-mail [adowd@town.northborough.ma.us](mailto:adowd@town.northborough.ma.us) or fax 508-393-6996 before May 9, 2014.

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**FOR USE BY MTCA CONFERENCE SCHOLARSHIP COMMITTEE ONLY:**

Date received: \_\_\_\_\_ Date action taken: \_\_\_\_\_

Amount awarded: \_\_\_\_\_ **OR** Reason for denial: \_\_\_\_\_

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### **MTCA CONFERENCES**

#### ***MTCA SUMMER CONFERENCE***

Sea Crest Beach Resort

N. Falmouth, MA

June 11 - 13, 2014

#### ***NEACTC CONFERENCE***

Sheraton Harborside Hotel

Portsmouth, NH

November 19—21, 2014



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# Newsletter of the MTCA

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## **Massachusetts Town Clerks Association**

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### **Editor**

Nancy E. Burnham, CMMC, Athol

## **The Public Recorder**

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