

The Public Recorder



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Report of the President, Sally M. Hayden

February 5, 2008

February 5, 2008 has come and gone. Give yourself a pat on the back! Be proud of yourself for a job well done. Know one else, but another clerk, knows what you went through to be prepared for that day.

The weekends stolen from your family and friends because you were printing voting lists, securing poll workers and training poll workers. Putting notices in the paper, on the town web site, on the cable channel reminding your residents of the last day to register to vote, to change their party and where they vote. Sending out letters to your poll workers, reminding them of new streets, reminding them that this is the election that they must record "D", "J", "R", & "Z". How many times did you think your absentee voters list was complete, only to have to add one more. Going over the items for each polling place, pens, scotch tape, signage, privacy sleeves, calculators, name tags, ballots. The list goes on and on.

The night before you go over everything in you head. Making sure you haven't forgotten a thing. You worry that your alarm won't go off. Did I set it right? PM or AM? Did I give my phone number to the poll workers incase they have to call in sick? You hope that the police officers show up, without a cup of coffee in hand. No beverages in the polling place.

Morning comes. You are ready for the day. You meet the DPW at the Town Hall to take the ballots to the polling locations. You check on your polling places to be sure they are manned and equipment is working correctly. Having touched base with everyone, you return to your office. You sit at your desk, feeling good that all your preparation has paid off. The polls are running smoothly. Then...the phone rings –

“Can you tell me if I am registered to vote?”

MTCA LOBBYIST REPORT – JANUARY 2008
By Stephen Roche

So much to talk about, I don't know where to begin – but why not start with the:

2008 PRESIDENTIAL PRIMARY

I know that February 5th was a crazy day for you all with a new record of 1.75 million voters set.

Thank goodness that we hung in there a few years ago – when no one else did – and pushed for approval of the unenrolled voter bill – we know that the voters appreciated our efforts as we removed years of confusion by securing former Governor Romney's approval of the MTCA legislation.

As we look ahead four years, it will be interesting to see if the first Tuesday in February remains as our presidential primary date.

And now onto the really big news.

ELECTION DAY REGISTRATION

As suggested in my report last month, there's a renewed effort to adopt EDR in Massachusetts. The Election Laws Committee is poised to release a new draft of legislation. Here's a look at the summary forwarded to me by the Committee:

Election Day Registration – bullet point summary

- Allows residents to register to vote on the day of a state election.
- Permits a voter to register at the appropriate polling place based on where he maintains residence on the day of a state election.
- Requires applicant to verify identity using last four digits of their Social Security Number or MA driver's license number consistent with requirements of the Help America Vote Act (HAVA); complete a form prescribed by the Secretary of State; provide proof of residency; and make an oath certifying under penalty of perjury that they are eligible to vote.
- Lists acceptable forms of proof of residency consistent with federal HAVA.
- Secretary of State determines date on which registrars shall place the names of qualified applicants on the annual registry of voters after an election.
- Requires Secretary of State to make available a printed copy of the registered voters in each precinct to the registrars at the polling place.
- Exempts annual and special town meetings.
- Secretary of State to promulgate regulations for administering EDR.

- Requires an investigation of illegal registration or illegal voting upon credible allegation or information to the proper authorities. Provides for punishment of illegal registration or illegal voting by imprisonment of up to 5 years in prison or \$10,000, or both.
- Voters who have moved could not vote in their former municipality of residence, but could register to vote in their new place of residence either before the last day of registration or on the day of an election. Currently, a person may vote in their former residence up to 6 months after moving.
- Last day of registration sessions before an election that registration take place no later than 5 p.m. – a change from the current 8 p.m. deadline.
- Changes the last day of regular voter registration sessions from 20 to 14 days prior to a primary or election.
- Revises the general laws to conform to the change of time for which registration sessions close on the last day of registration.
- Establishes an advisory committee chaired by the Secretary of State to examine Election Day registration implementation issues, particularly live access to the central voter registry at every polling place. The advisory committee would report to the election laws and house and senate ways and means committees by March 1, 2011.
- Election day registration would take effect as soon as the law is passed.
- Provides a sunset clause for this legislation of July 1, 2011. This would both repeal the new EDR language, and reinstate the current language, while keeping the 14 day registration deadline as a permanent change.

This is a very interesting piece of legislation. Most striking to me is that it's a "sunset" bill and that it will apply only to general elections in 2008 and 2010 unless extended or renewed. The advisory committee will include 2 MTCA representatives as well as 2 city clerks; other members include the State Secretary (as Chair), the Attorney General, and the two chairs of the Election Laws Committee.

There are several provisions that we pushed for that were not included, particularly the MTCA's proposal to eliminate the check-out table requirement. However, several of the provisions that we pushed were adopted and we helped stop a last-minute move to set the voter registration cut-off at just 10 days.

Where does EDR go from here? Our understanding is that the new draft will be approved by the Committee before the end of February and sent to the State Senate for further action. I expect EDR to pass the Senate rather quickly given the strong push by the Senate Chairman of the Election Laws Committee, Senator Ed Augustus. Senator Augustus recently announced that he would not seek re-election this year and I assume his Senate colleagues will go along with his wishes on this one.

Governor Patrick and Lt. Governor Murray are already on record as strong supporters of EDR and we should expect swift approval by the Governor once the bill hits his desk.

Note that the new bill does not address the fiscal concerns that we think need to be addressed ASAP – certainly before implementation for this fall's general election. There may be an attempt to add money for these costs to the bill or to build those costs into the FY2009 state budget. Unfortunately, I am skeptical that any such funding would go to municipalities.

FY2009 STATE BUDGET

The process began with Governor Patrick’s release of his FY2009 spending plan on January 23rd - HOUSE 2. Here’s a look at the items of note from the Secretary’s office.

ACCOUNT	Description	FY2008 GAA	FY2009 House 2
0511-0270	Census Data Technical Assistance For technical assistance on US Census data and the preparation of annual population estimates; provided, that the secretary of the commonwealth shall contract with the University of Massachusetts Donahue Institute for those services	600,000	600,000

ACCOUNT	Description	FY2008 GAA	FY2009 House 2
0511-0420	Address Confidentiality Program For the operation of the address confidentiality program	113,269	113,269

ACCOUNT	Description	FY2008 GAA	FY2009 House 2
0521-0000	Elections Division Administration and Expenses of Primaries and Elections For the operation of the elections division, including preparation, printing and distribution of ballots, and for other miscellaneous expenses for primary and other elections	3,676,647	8,750,617

Account	Description	FY2008 GAA	FY2009 House 2
0521-0001	Central Voter Registration Computer System For the operation of the central voter registration computer system		

Account	Description	FY2008 GAA	FY2009 House 2
0524-0000	Information to Voters For providing information to voters	583,744	1,952,074

As expected in an election year, we see increased funding in the elections related line items. The House and Senate budget committees are holding joint hearings on the Governor’s budget through the end of February.

It’s an election year, so we’ll see the budget done on time.

A PERSONAL NOTE II

I should have done hip replacement surgery years ago – recovery has gone great.

See you the MTCA Winter Conference!

**Massachusetts Town Clerks' Association
Business Meeting
Jiminy Peak Mountain Resort, Hancock, MA
October 4, 2007**

Sally Hayden, President of the Massachusetts Town Clerks' Association, called the meeting to order at 12:38 p.m. Sally thanked 1st Vice-President Tedi Eaton and 2nd Vice-President Marie Crimmins for the great job they had done organizing the Fall conference.

SECRETARY'S REPORT

The minutes of the June 14, 2007 Business Meeting were presented as printed in the Recorder. Sally Hayden explained that she had reported that two scholarships had been received from the Middlesex County Clerks Association but in fact there was only one. The minutes of the meeting reflected, accurately, that one full scholarship had been received.

The minutes incorrectly listed Janet Vellante from Harvard as a new Clerk.

A motion was made to approve the minutes as amended and carried unanimously.

TREASURER'S REPORT

Charlene Hinton, Treasurer, presented the Treasurer's Report. As of September 30 there is a cash balance of \$74,309.97 with conference bills remaining to be paid.

Charlene reported that she expects to receive a check for \$541 from the Associated Press as thanks to the clerks who reported the results of the 5th Middlesex District Special Primary.

The motion to approve the Treasurer's Report was presented and carried unanimously.

CERTIFICATION

Marie Crimmins, 2nd Vice-President and member of the CMMC Certification/ Examination Board, presented the following CMMC awards on behalf of Diane Casagni, CMMC Certification Administrator, who did not attend the conference.

First Recertification	Second Recertification	New CMMCs
Lynn Sibley, Whately	Paul Hutchinson, Adams Nancy McAvoy Oates, Duxbury Anita N. Doucette, Harwich Mary Lou Murzyn, Kingston	Eileen M. Lowney, Fairhaven Nancy J. Talbot, Ware Nancy J. Lowell, Warren

Marie reflected on the accreditation process and its value to those who earn it. Clerks who are CMMCs were asked to stand and be recognized. Marie also recognized those clerks who were first to receive the CMMC accreditation and who are still clerks today.

Recognized were: Diane Casagni, Norton; Jane Chew, Burlington; Tedi Eaton, Needham; Denise MacAloney, Westminster; and Marion McClure, Tisbury.

Marie also reminded the Town Clerks that earning the CMMC can earn them a stipend if the clerk's community has accepted Chapter 41, §19K.

LEGISLATIVE COMMITTEE

Larry Pizer spoke to the association about how the Legislative Committee is most effective when they concentrate on a limited number of bills. This means they have to choose those that are most important and not take up other issues that the association believes in. At the moment the Legislative Committee is working on passing five bills and blocking two.

Larry introduced lobbyist Steve Roche who spoke to the association about the issues affecting clerks which are currently being taken up by the legislature.

Senate 512 – Updating animal control laws

Steve described this bill as being big and cumbersome and noted that the association has been represented well by Pat Ward. This bill seeks to update animal control legislation. It also seeks to impose a surcharge on dog licenses. The MTCA opposes the financial component of this proposed legislation.

House 646 – Election Day Registration

Steve described his role on this bill which is to make it clear that the MTCA remains neutral on the issue but that if the General Court and the governor decide to move forward, the MTCA has suggestions for how to make EDR work.

MTCA suggestions include changing the hour for close of registration on the last day for registration from 8:00 p.m. to 5:00 p.m.; change the last day for registration from 20 days before the election to 14 days; and the elimination of the check-out tables at the polling places.

The MTCA suggestions also include that the secretary conduct a cost analysis and that the costs of same be funded by the state.

Steve reported that Section 71 of Chapter 61 of the Acts of 2007 sets up a working group to look at options to conducting the local census. Steve believes it is possible that this working group will include clerks. Meanwhile the census will be conducted as usual.

House 613 was voted out with a favorable report. Steve recommends that clerks continue to read The Recorder.

Steve advised the association that the Executive Board had voted, at the Legislative Committee's request, to support the Legislative agenda by opposing 512 and 105.

Motions were presented that the MTCA support opposition to Senate 512 and Senate 105. The motions were seconded and carried unanimously.

Sally made some final announcements:

Volunteers are needed to serve on the N.E.M.C.A. and there will be a short meeting after the drawing for the baskets if any one was interested in stepping forward.

Vitals class is being held in Fisher II in the Country Inn building; other classes are being held in Crane.

FAST will meet at the February conference

The Education Committee is looking for a new member and would like someone from the western part of the state. It is understood that travel can be an issue but that it can be worked out.

The meeting was adjourned at 1:15 p.m.

Respectfully submitted,
Sandra J. Burgess
M.T.C.A. Secretary

**Important Information from
Stanley E. Nyberg, Ph.D, State Registrar of Vital Records and Statistics**



MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH

VACANCY ANNOUNCEMENT

Date of Posting: February 11, 2008
Civil Service

Application Deadline Date: Thursday, March 6, 2008

Please include posting ID number when applying for this position

This notice must be posted until the application deadline date.

Any person interested in the following position should send an application or resume to the Department of Public Health Personnel Office, 250 Washington Street, First Floor, Boston, MA 02108-4619. To ensure consideration, applications must be received by 5:00 p.m. on the deadline date. If this position is not filled within 90 days of the original date of posting, it may be reposted. For Civil Service Exam information, call 617-727-3777x 246 or 1-800-392-6178 x 246. To See more job listings visit us at www.state.ma.us/dph and click on Employment.

**The Department of Public Health is an Equal Opportunity/Affirmative Action Employer.
All employees are paid bi-weekly and must have direct deposit**

Functional Title: Program Coordinator II

Division: BHISRE/RVRS

Authorized Title: Program Coordinator II

Grade:

Bargaining Unit: 06

No. of Vacancies: 1

Entry Level Salary:

Account Number: 4510-0100

Supervisor:

Position Number: 00043450

Interviewer:

General Statement of Duties & Responsibilities:

This position is responsible for the comprehensive management and tracking of legal registration activities of the Registry of Vital Records and Statistics, including the timely and accurate registration and amendment of all vital records and the training and support of vital records partners. To carry out these activities, the position is responsible for the effective management and supervision of Registration staff. The incumbent provides technical assistance for all individuals involved in registering vital events, including preparation of training materials, speeches, and presentations. This position is responsible for the documentation of legal, procedural, and policy requirements relating to the registration of birth, death, and marriage records. This includes the preparation of procedures manuals, policy interpretation papers, articles for in-house and external publication. The incumbent will also serve as a business-needs advisor to developers of vital records automation software and the business liaison with external agencies, such as Department of Revenue, Massachusetts Town Clerks Association, Massachusetts Funeral Directors Association, Office of the Chief Medical Examiner, and Massachusetts trial courts administrative office.

Detailed Statement of Duties and Responsibilities:

1. Responsible for effective management and supervision of Registration Unit staff, such as conducting team building and proactively setting expectations and providing feedback to staff. Responsible for setting goals, providing routine feedback and evaluations, preparation and evaluation of monitoring reports, convening regular staff meetings, effective personnel scheduling and training, and enforcing DPH guidelines up to and including the initiation of disciplinary action when required.
2. Oversees state-wide legal registration activities for all partners involved in registering vital events, including city and town clerks, hospital personnel, boards of health, physicians, medical examiners, funeral directors, attorneys, marriage officiants, court personnel and members of the public, to ensure accurate and timely compliance with Massachusetts General Law and Registry policy.
3. Coordinates and monitors internal registration process of vital records (births, deaths, marriages, affidavit and correction of such records including paternity establishment and adoptions, delayed records, and out-of-commonwealth records) in order to ensure effective and efficient operations and compliance with Massachusetts General Law.
4. Reviews and analyzes data concerning registration of vital records in order to determine progress and effectiveness, to make recommendations for changes in procedures, guidelines, etc., and to devise methods of accomplishing program objectives.
5. Maintains liaison with various private, local, state and federal agencies and others to exchange information and resolve problems concerning the registration of vital records. Acts as primary liaison with the Department of Revenue, Child Support Enforcement Division for management of paternity establishment activities, including preparation of data for federal audits.
6. Prepares and conducts multi-media training presentations, and develops and prepares related training manuals and materials, for internal and external vital records partners requiring occasional state-wide travel.
7. Conducts field visits and training, and participates in coordination of statewide conferences related to vital records requiring occasional state-wide travel.
8. Provides technical assistance and advice to agency personnel and others concerning registration of vital records in order to resolve problems and to ensure compliance with established policies, procedures, laws, and regulations.
9. Provides technical and business rules assistance for agency IT projects.
10. Writes and submits for internal and external publication, instructional and informational articles relating to registration of vital records.
11. Develops new forms and procedures responsive to changing legislation and/or court rulings.
12. Responds to inquiries from agency staff and others to provide information concerning registration of vital records.
13. Provides on-the-job training and orientation for employees.
14. Develops, implements, and documents procedures and guidelines for proper examination and registration of vital records and to accomplish other assigned agency program objectives and goals.
15. Reviews reports, memoranda, etc., for completeness, accuracy, and content.
16. Confers with management staff and other agency personnel in order to determine program requirements and availability of resources, and to develop the criteria and standards for program evaluation.
17. Evaluates program activities in order to determine progress and effectiveness to make recommendation concerning changes as needed in the registration and amendment of vital records.

18. Develops and implements standards and systems to be used in program monitoring and evaluation, particularly in the area of vital records registration and amendments.
19. Confers with management staff and others in order to provide information concerning program implementation, evaluation and monitoring and to determine the purpose and scope of proposed programs that affect the registration of vital records.
20. Compiles data and prepares timely and regular reports, including statistical tables, charts and graphs to provide information concerning assigned work and to make recommendations concerning program needs.
21. Meets regularly with other RVRS supervisors, including Records and Statistics Units, to efficiently coordinate related activities such as preparing records for coding and data entry, preparing records for digitizing, and preparing records for permanent binding.
22. Performs related duties such as attending meetings and conferences, reading professional literature, maintaining records, researching topics, and preparing correspondence.

Qualifications Preferred at Hire:

1. Knowledge of the principles and practices of human resource management including behavioral techniques, planning, forecasting, and organizational development.
2. Knowledge of work simplification and efficiency methods.
3. Knowledge of the methods used in preparation of charts, graphs, and tables.
4. Knowledge of methods of general report writing, documentation of procedures, and business correspondence.
5. Ability to understand, explain and apply the laws, rules, regulations, policies, procedures, etc. governing assigned unit activities.
6. Ability to analyze and determine the applicability of data, to draw conclusions and make appropriate recommendations.
7. Ability to gather information by examining records and documents and by questioning individuals.
8. Ability to assemble items of information in accordance with established procedures.
9. Ability to determine proper format and procedure for assembling items of information.
10. Ability to maintain accurate records.
11. Ability to prepare charts, graphs and tables.
12. Ability to prepare detailed reports.
13. Ability to write concisely, to express thoughts clearly and to develop ideas in logical sequence.
14. Ability to follow written and oral instructions.
15. Ability to give written and oral instructions in a precise understandable manner.
16. Ability to communicate effectively in oral and written expression.
17. Ability to supervise, including planning and assigning work according to the nature of the job to be accomplished, the capabilities of subordinates and available resources; controlling work through periodic reviews and/or evaluations; determine subordinates' training needs and providing or arranging for such training; motivating subordinates to work effectively determining the need for disciplinary action and either recommending or initiating disciplinary action.
18. Ability to establish rapport with others.
19. Ability to establish and maintain harmonious working relationships with others.
20. Ability to deal tactfully with others.
21. Ability to adjust to varying or changing situations to meet emergency or changing program requirements.
22. Ability to exercise sound judgment.
23. Ability to exercise discretion in handling confidential information.

Minimum Entrance Requirements:

Applicants must have at least (A) three years of full- time, or equivalent part-time, professional, administrative or managerial experience in business administration, business management or public administration the major duties of which involved program management, program administration, program coordination, program planning and/ or program analysis, or (B) any equivalent combination of the required experience and substitutions below.

Substitutions:

1. A Bachelor's degree with a major in business administration, business management or public administration may be substituted for a maximum of two years experience.*
2. A Graduate degree with a major in business administration, business management or public administration may be substituted for the experience.*
3. A Bachelor's or higher degree will be prorated on the basis of the proportion of the requirements actually completed.

*Education toward such a degree or diploma will be prorated on the basis of the proportion of the requirements actually completed.

LICENSE/ CERTIFICATION REQUIREMENTS: A valid Massachusetts driver's license

RVRS News & Updates

The Registry of Vital Records and Statistics has posted a position that may be of interest to staff in city and town clerk offices. The Registration Unit Coordinator position, most recently held by Pauline McNulty, is now available for viewing on the state job postings web site. The posting can be accessed through mass.gov by clicking on the front page link "Find State Jobs" then "Find a Job with the State of Massachusetts" and then typing in the key word "vital events" to bring up a single listing for the Program Coordinator II title. The application deadline is march 7, 2008.

Irene Chu, who has been working diligently on computerizing information from the Supplement to the Notice of Intention of Marriage, has noted that the newer version of the Supplement does not include instructions to print legibly in black ink. Until this form is updated again, RVRS is seeking your assistance to remind marriage applicants that the information on the form should be printed legibly, and for you to take a look at the forms before they are accepted to see that all information can be read. We have an astounding number of forms that are almost completely illegible. As you know, the Supplement is required by M.G.L. c.207 s.20 primarily for the purposes of Child Support Enforcement. If there is a need for the information, it is extremely important that it can be read on the form. Since we keep the Supplements separate from the "vital record" portions of the marriage documents, all items must be legible since they are not directly linked to the marriage certificates. Thank you!

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SPECIAL MONEY
William C. Campbell, Woburn City Clerk

\$\$\$\$

Did your state legislator pack his bag, head out of town and leave you with the tab for running a new election? There is still hope. Mass. General Laws Chapter 3, Section 10A provides reimbursement to communities for the cost of special elections held to fill a general court vacancy. Any funds for the legislators salary not expended during the vacancy is set aside in a special fund made payable to the city or town in which the election was held. Your request for reimbursement can be forwarded to Brian Turnbull, Office of the State Treasurer, One Ashburton Place, 12th Floor, Boston, Massachusetts 02108. The complete text of the statutes reads:

Chapter 3: Section 10A. Reimbursement for special elections to fill general court vacancies

Section 10A. In special elections, called for the purposes of filling a vacancy in the general court, state funds for compensation of members pursuant to section nine of chapter three of the General Laws not expended during such period of vacancy shall not revert to the General Fund or any legislative accounts but shall be set aside in a special fund in the office of the state treasurer and made payable to the city or town in which such election was held. The city or town clerk shall certify to the state treasurer the total actual costs of holding such special election, and such city or town shall be reimbursed up to one hundred percent of the net costs thereof from said fund without further appropriation; provided, however, that the state treasurer shall not authorize any expenditure which would cause said fund to be in deficit. "Net costs" for purposes of this section shall mean the total actual costs as certified by the city or town clerks less any other reimbursements available to such city or town.

IMPORTANT NOTICE

IMPORTANT NOTICE

Liz Carey, the Public Recorder Editor is not seeking re-election in April. Therefore, the Editor's position will be open in March.

POSITION: Editor, MTCA Recorder

PURPOSE: Charged with the responsibility for collecting, assembling, publishing and distributing a monthly newsletter and soliciting advertising for the Public Recorder.

1. Appointed by the Executive Board for a three-year term.
2. Salary = \$200 per 11th month period and, as determined by the MTCA Executive Board.
3. July is the month for soliciting advertisers (no salary).
4. All previous Recorder files are on a CD and will be available to the new Editor.
5. Shall be available for the March edition of the Recorder.
6. Liz will meet with you to review process.
7. Submit name to Sally Hayden, MTCA President, sallyh@townofrutland.org

FEBRUARY 2008- MARCH 2008

Friday,	February 22, 2008	George Washington's Birthday
Friday,	February 29, 2008	Leap Day
Sunday,	March 9, 2008	Daylight Savings Time Begins
Monday,	March 17, 2008	St. Patrick's Day
Sunday,	March 23, 2008	Easter Sunday

MTCA CONFERENCE SCHEDULES - 2008

MTCA WINTER CONFERENCE
MARCH 5, 6, & 7, 2008
STURBRIDGE HOST
STURBRIDGE, MA

MTCA SUMMER CONFERENCE
JUNE 11, 12, & 13, 2008
SEA CREST
FALMOUTH, MA

IIMC NE CLERK'S INSTITUTE & ACADEMY
JULY 13 - 18, 2008
ST. MICHAEL'S COLLEGE
COLCHESTER, VT

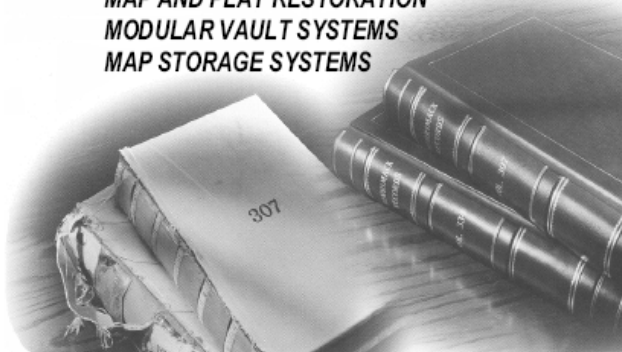
MTCA FALL CONFERENCE
SEPTEMBER 24, 25, & 26
JIMINY PEAK
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The Public Recorder

Newsletter of the MTCA

1009 Main Street
Tewksbury, MA 01876



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The Public Recorder

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Closing date for copy submission is the First DAY of each month. All news, notes, clippings, meeting notices and address corrections should be sent to Editor Elizabeth A. Carey at 1009 Main Street, Tewksbury, MA 01876

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