

The Public Recorder



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Report of the President # 15 by Judy St. Croix

If you look out your window, you will see that the fall season is upon us. Trees are showing off their colors, the days are getting shorter, and the temperatures are falling along with the leaves. You know that it is fall in your office because it is election season and we are all buried in, not leaves, but ballots, absentee ballot requests, voter registrations, and questions, questions, questions.

The MTCA Fall Conference attended by 143 took place from October 4-6 at Jiminy Peak in Hancock. With the exception of a few raindrops Wednesday evening, the weather was perfect - blue skies and temperatures in the 70's. I think it even hit close to 80 on Thursday. As we have done other years, we ascended the mountain on the chair lift Wednesday evening for a cocktail hour at the lodge. The ride up was beautiful with the view, the foliage, and the fresh mountain air. However, when we were ready to descend the mountain the heavens opened and the rains came down. None of us were prepared for the inclement weather so as we approached the chair lift the operators presented us with plastic bags to put over our heads. We still got soaked and we were quite a sight to those at the base looking up the mountain but a good laugh was had by all. We are now affectionately known by the staff at Jiminy as the "bag ladies."

The Education classes were the highlight of the conference. On Wednesday afternoon Michelle Tassinari, Director of Elections/Legal Counsel, told us everything you needed to know about the handicapped accessible voting machines. Two machines were demonstrated - LHS - Diebold and the ESS - AutoMark. For the State Election, machines from both companies will be in use for further testing purposes in some, but not all, cities and towns. If your city or town is selected as a test site, training sessions will be conducted and in some cases, representatives from the company will be on hand to help you get through the election. Each machine has its own features but further testing is still required before a machine is ready to be certified in Massachusetts. Change is a way of life, change is inevitable, and we need to embrace it, not fight it! After all we are clerks - we survived CVR, we survived motor voter, and we will survive HAVA.

The education classes on Thursday were well attended and following a day of learning we had an evening of fun and relaxation. Several clerks donned costumes for the Halloween stroll and carved or decorated pumpkins for the contest. Prizes were awarded in several categories and it was a good time with lots of laugh. It was nice to see clerks let their guard down and just have fun.

I want to say how proud I am to be a clerk and to be a member of our great association. Any organization is only as strong as its members and I believe we have some of the best members available to make us even stronger. We had some challenging twists and turns and even some detours in balancing our budget for FY07. Thanks to your understanding and the response to the pleas of your Officers and E-Board Members, the road ahead promises a much brighter outlook and will take us to greater heights. Together we have made progress and found new sources of profits and savings. Conference fees were increased, dues were increased, and we have saved printing and postage costs by e-mailing both the conference brochure and monthly Recorder.

As we all prepare for November 7 remember to promote a positive attitude and a professional image and don't let your emotions get the best of you during these trying times. Keep up the good work and remember to put on your humor

glasses. Constant stress can cause negative reactions. Humor is a mechanism you can use to deal and get through every day, especially during the election season. If you use humor and focus on a positive outlook you can survive anything. Following the election, I will again be asking for volunteers from the membership to form another Election Task Force Committee to discuss election issues and possible changes to election procedures.

To all the new clerks - us old clerks were new once so we know how overwhelmed you can be. Remember the support system we have in place - call a fellow clerk and call Elections. They have staff available all day to answer your concerns and questions.

Good luck to all.

**BEFORE YOU SET OUT ON A JOURNEY ... BEFORE YOU BEGIN ANY GREAT TASK,
KNOW YOUR DIRECTION AND FORGE YOUR PATH WITH GREAT TENACITY.**

**MTCA LOBBYIST REPORT – SEPTEMBER 2006
By Stephen Roche**

GAY MARRIAGE IS BACK IN THE LIMELIGHT - I

A recent Suffolk Superior Court decision has same-sex marriage back in the headlines for the first time in months. The Superior Court ruled that same-sex couples from Rhode Island are permitted to marry in the Commonwealth.

The case name is Cote-Whitacre & Others v. Department of Public Health & Others. The case involved eight couples from six states that filed marriage intentions after the Supreme Judicial Court (SJC) ruled in 2003 that same-sex marriages are allowed. In June 2004, after being prohibited from marrying in Massachusetts, the couples sued to challenge a 1913 law¹ that provides that a marriage in the Commonwealth cannot occur if that marriage would be illegal in their home states.

While the SJC upheld the 1913 law earlier this year, the SJC sent the case back to the Superior Court for a factual determination of whether or not same-sex marriages would be prohibited in two states, New York and Rhode Island. First the Superior Court reviewed New York and determined that same-sex marriage is prohibited. Then the SJC reviewed Rhode Island's laws and judicial decisions.

In the case of the Rhode Island couples, the Superior Court applied the following test:

“[T]his Court will find that same-sex marriage is prohibited in Rhode Island if same-sex marriage is explicitly deemed void or otherwise forbidden by a Rhode Island constitutional amendment, by a Rhode Island statute, or by a Rhode Island Supreme Court decision.”

The Court did not find same-sex marriage was “explicitly” deemed void or otherwise forbidden” and ruled that same-sex couples can marry in the Commonwealth.

Subsequent decisions by the Attorney General and Governor not to appeal this decision means that the Court's decision is final.

One of the Rhode Island couples that were a party in the case were married in Attleboro on Sunday, October 8th.

¹ General Laws, Chapter 207, Section 11.

GAY MARRIAGE IS BACK IN THE LIMELIGHT - II

Same-sex marriage will be the subject of a debate when the House and Senate reconvene in joint Constitutional Convention on November 9th, just two days after the State Election. There are a number of proposals on the agenda for that meeting, but we expect the most heated debate to be on **House 653**, which was reported Ought Not To Pass by the Judiciary Committee on May 5, 2005.

Here's the text of House 653 filed, by Representative Emile Gouguen:

PROPOSAL for a legislative amendment to the Constitution TO DEFINE MARRIAGE AS THE UNION OF ONE MAN AND ONE WOMAN.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

It being the public policy of this Commonwealth to protect the unique relationship of marriage, in order to promote, among other goals, the stability and welfare of society and the best interests of children, only the union of one man and one woman shall be valid or recognized as a marriage in Massachusetts. Any other relationship shall not be recognized as a marriage or its legal equivalent, nor shall it receive the benefits or incidents exclusive to marriage from the Commonwealth, its agencies, departments, authorities, commissions, offices, officials and political subdivisions.

It will be interesting to see how legislators vote, especially since the election will be behind them. In terms of next session, it appears that several hard line opponents of gay marriage will not be returning to the Legislature; most of them did not seek re-election.

POLL WORKERS BILL

So much for my prediction in last month's report that the General Court was unlikely to approve **Senate 2277** this session. The bill was the subject to a fair amount of work on September 14th with the House and Senate sending the bill, with an Emergency Preamble attached, to the Governor's Desk that day. The Governor signed the bill into law on September 19th – see **Chapter 299 of the Acts of 2006**.

Here's the summary for the new law:

Amends various provisions relative to the appointment of election officers; authorizes and regulates the appointment of election officers in the commonwealth; authorizes the appointment of up to two person of 16 or 17 years of age to said positions, provided they meet the articulated requirements; directs the secretary of state to provide a voters' bill of rights in written form for posting at all polling places for each election; articulates the contents of same; directs said secretary to transmit to city and town clerks printed copies of the voters' bill of rights.

As you may recall, this was one of the League of Women's priority bills for this session.

FREE BIRTH CERTIFICATES FOR MEDICAID CERTIFICATION

I discussed this issue last week at the MTCA's Fall Conference but think it helps to see something like this in print.

I know that some clerks have been told that language in the state budget requires them to provide free birth certificates to individuals seeking Medicaid coverage. This is not true!

Section 2 of the FY 2007 state budget, **Chapter 139 of the Acts of 2006**, contains the following provision:

Line Item 4000-0300 - language of concern:

provided further, that with respect to section 6037 of the Deficit Reduction Act of 2005, the executive office shall refer applicants and recipients to the **registrar of vital records and statistics** to obtain a copy of a birth certificate for the purpose of establishing eligibility for Medicaid at no cost to the recipient;

As you can see, the budget language clearly states that a person can obtain a free copy of a birth certificate from the Registrar of Vital Records and Statistics. No mention is made of free copies from city or town clerks.

REPORT OF THE BY-LAW REVIEW COMMITTEE
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The By-Law Review Committee was charged by the Executive Board and the President of this association to review the by-laws. A couple of issues were given to us and we made the appropriate changes.

The following amendments are before you within the document:

- ❖ The duties of the officers were reviewed and corrected to reflect the actual duties. Changes were made in President, Secretary and Treasurer.
- ❖ The dates of appointments and other reportings were changed to reflect the fact that we are now on a fiscal and not a calendar year. This was to create consistency throughout.
- ❖ The Budget Committee's duties were made a little more inclusive to allow the budget preparation to begin a little earlier. This brings discussion on expenses and income in draft form to the executive board in the spring instead of at the very end of the fiscal year.
- ❖ A termination clause was added to give the executive board the rights to dismiss an officer or committee person for not being able to perform the duties of the office or charge of the committee. This was added to the dismissal for reason of absenteeism.
- ❖ Other small grammatical errors were corrected.
- ❖ The Legislative Committee requested that a change to their section be adopted. They voted the recommendation and it too was added to this amendment process.

We ask that this association approve the amendments as identified in the By-laws in red; and as they were published on the email system and in the Recorder.

Respectfully submitted:

Massachusetts Town Clerks Association By-law Review Committee

Edie McCracken
Barbara Swann
A. Marie Crimmins
Sally Hayden
Linda E. Hutchenrider

**BY-LAWS
OF
THE MASSACHUSETTS TOWN CLERKS ASSOCIATION**

**ARTICLE I
Name**

The name of this organization shall be "The Massachusetts Town Clerks' Association, Inc.", hereinafter referred to as the MTCA.

**ARTICLE II
Mission**

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.

**ARTICLE III
Membership and Dues**

Membership

1. Active Members:

The Town Clerk of any town in the Commonwealth of Massachusetts shall be eligible for membership in the MTCA and shall have full voting privileges. By virtue of the membership of the Town Clerk in the MTCA, ~~the an~~-Assistant Town Clerk and ~~the~~ Town Clerks' staff are members of the MTCA and are eligible to attend meetings and conferences, but shall not have voting privileges.

2. Retired Members

Upon retirement, active members may continue a non-voting membership in the MTCA.

3. Affiliate Members:

Shall be available to City Clerks, Election Commissioners and Registrars of Vital Records for Cities, who are not eligible for active or retired membership. (*Revised 6-15-06*)

4. Honorary Members:

All persons who have held any of the foregoing memberships, may be designated an "Honorary Member" by vote of the Executive Board.

Dues Structure

***Active Members:** (*Revised 6-15-06*)

\$20.00	Towns under 1,000
\$50.00	Towns 1,001 to 5,000
\$100.00	Towns 5,001 to 10,000
\$150.00	Towns 10,001 to 25,000
\$200.00	Towns Over 25,000

***Retired Members:**

\$20.00

***Affiliate Members:**

\$100.00

***Honorary Members**

No Fee

*** Includes subscription to the "Public Recorder"**

Fiscal Year

The fiscal year of the MTCA shall begin on July 1 of each year and shall terminate on June 30. The annual dues shall be due and payable on or before September 30.

ARTICLE IV

Meeting and Parliamentary Law

The Annual Meeting of the MTCA shall be held in June on such date and at such time and place as the Executive Board may determine. Other MTCA meetings may be called with a fourteen (14) day written notice by the President, a majority vote of the Executive Board, or upon petition to the President by twenty-five (25) active members of the MTCA. At all business meetings twenty-five (25) active members in good standing shall constitute a quorum.

Whenever parliamentary rules or procedures are involved, "Roberts Rules of Order" shall prevail.

ARTICLE V

Officers

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.

Any active member of the association may serve as an officer; however, in order to be nominated for First Vice President, Second Vice President or President, the member must have served for at least one year on the Executive Board.

Duties of Officers

1. President

1. Shall serve as Chief Executive Officer of the MTCA.
2. Shall **create the agendas for and** preside at all meetings of the MTCA and of the Executive Board.
3. Shall appoint all committees except as otherwise provided by these by-laws, **and present said appointments to the Executive Board for confirmation.**
4. Shall appoint vacancies of the Executive Board with the approval of the Executive Board.
5. Shall serve as Chairman of the Conference Committee.
6. Shall perform such other duties as may be required for the welfare of the MTCA.

2. First Vice President

1. Shall, in the absence of the President, assume the duties of the President.
2. Shall be an alternate member of the Legislative Committee, a member of the Nomination Committee, a member of the Conference Committee in charge of vendor relations, and shall serve as chair of the Scholarship Committee. *(Revised 10/9/03)*
3. Shall perform such other duties as may be required for the welfare of the MTCA.

3. Second Vice President

1. Shall in the absence of the President and First Vice President, assume the duties of the President.
2. Shall be a member of the Conference Committee in charge of hotel relations and a member of the Education Committee. *(Revised 10/9/03)*
3. Shall perform such other duties as may be required for the welfare of the MTCA.

4. Secretary

1. Shall keep and maintain permanent minutes of all meetings of the MTCA and Executive Board.
2. Shall maintain the MTCA permanent records including ~~membership, by-laws, and policies.~~
3. Shall give notice of all meetings of the MTCA and of Executive Board. ~~and mail all conference brochures.~~
4. **Shall distribute to the Executive Board, updated copies of bylaws, policies and officer listings as amended.**
5. Shall perform such other duties as may be assigned by the MTCA, the President or the Executive Board.

5. Treasurer

1. Shall serve as a member of Budget Committee.
2. Shall monitor the annual budget established by the Budget Committee.
3. Shall collect and disburse all funds of the MTCA and keep an account of the same.
4. ~~Shall collect annual dues of all members and maintain the permanent membership list.~~
5. Shall be bonded with sureties in such amount as the Executive Board may determine.
6. Shall keep all funds of the MTCA in a depository approved by the Executive Board and shall keep the funds deposited in the name of the MTCA.
7. Shall give a report at each meeting of the MTCA and Executive Board..
8. Shall obtain the signature of an Executive Officer on any check written for an amount greater than \$2,500.00.
9. Shall ~~annually~~ prepare and submit records to the auditor ~~annually~~.
10. Shall perform such other duties as may be assigned by the MTCA, the Executive Board or the President.

6. Compensation

The Executive Board shall ~~set establish~~ the compensation for any ~~officer or~~ position ~~deemed that they deem needs~~ appropriate. ~~compensation.~~

**ARTICLE VI
Executive Board**

The Executive Board shall consist of elected members from the membership at large that reflect a statewide representation and shall manage the business of the MTCA as outlined in the MTCA By-laws.

1. Membership

There shall be an Executive Board consisting of the officers of the MTCA, and nine additional members. The additional members shall be elected at the Annual Meeting. No elected member of the Executive Board shall serve for more than three consecutive years, except a member elected to fill a vacancy of the board. The immediate Past President may serve for two years immediately following the expiration of the term as President.

2. Responsibilities

The Executive Board shall have full power to carry out the mission of the MTCA and shall have general charge and control of its affairs, funds and property, but shall not have the right to amend its by-laws. The Executive Board shall assist the officers between meetings in carrying on the functions of the MTCA. Members of the Executive Board shall be assigned duties or be required to serve on one or more committees during their term.

3. Appointments

~~Appointments shall be made by the President and presented to the Executive Board for their vote at the Annual Meeting. All terms shall commence July 1.~~

~~Annually, all appointments shall be made by the President and confirmed by vote of the Executive Board prior to June 30. December 31. The terms shall begin July 1, and follow the budgetary fiscal year. January 1.~~

<u>OFFICE</u>	<u>TERM</u>	<u>NO. OF MEMBERS</u>
Assistant Treasurer	1 year	1
Legislative Committee	3 years 1 year	7 2 alternates
Nomination Committee	1 year	5
Budget Committee	1 year	5
Education Committee	3 year	7 *
Education Database Coordinator	3 years	1
CMMC Certification Administrator	3 years	1
CMMC Certification/Examination	3 years	5

Board

Conference Registration Administrator	3 years	1
Conference Committee	2 years	8
Public Recorder Editor	3 years	1
Scholarship Committee	2 years	3
Clerks= Manual Committee	3 years	3

*(Revised 2/13/03)

Members of each Committee shall serve a term as set forth in the by-laws. The President shall have full power to fill all vacancies in any committee until the next annual appointment.

4. **Meetings**

Meetings of the Executive Board may be called at any time by the President or by any three (3) of its members on written notice by the Secretary not less than five (5) days prior to the meeting. A quorum shall consist of at least eight (8) members of the Executive Board.

Emergency meetings of the Executive Board of less than five (5) days notice, may be called at the discretion of the President. Votes may be cast by e-mail, telephone or by mail. A definitive vote requires an agreement by eight (8) members of the Executive Board. A record of such votes shall be recorded by the Secretary ~~at the next Executive Board Meeting.~~

5. **Audit**

There shall be an annual audit of the statements of cash receipts and disbursements of the Treasurer by a certified accountant. It shall be the duty of the Executive Board to contract for such audit.

6. **Policies and Procedures**

The Executive Board shall have the authority to create policies and procedures for officers and committees of the MTCA.

ARTICLE VII Committees and Appointed Officers

The President shall have the power, with approval of the Executive Board, to establish additional standing committees or special committees as may be deemed necessary for the proper conduct of the affairs of the Association.

No committee of the Association shall be authorized to create any financial liability unless it first shall have been budgeted and approved as to its purposes and amount by the Executive Board.

All committees shall keep minutes and forward a copy to the Secretary of the Association.

Duties and responsibilities of each Committee/Appointed Officers shall be as outlined in the by-laws.

1. **Assistant Treasurer**

Purpose: Charged with the responsibility to serve in the absence of the Treasurer.

1. Appointed annually by the Executive Board **by June 30. ~~December 31.~~**
2. Shall serve as a member of the Budget Committee.

2. **Legislative Committee**

Purpose: Charged with the responsibility of advancing the Legislative agenda of the MTCA.

A. Composition and Term of Office:

The Legislative Committee shall consist of **seven (7)** full members and two (2) alternate members, one of whom shall be the First Vice President. *(Revised 10/9/03)*

Full committee members shall be appointed for a three-year term by December 31 so that not more than three (3) members' terms expire in the same year.

Alternate members shall be appointed by December 31 for a one year term and may attend all meetings, participate in discussions and, in the absence of a member, have voting privileges.

B. Duties:

The Legislative Committee shall be responsible for informing the MTCA of all matters pertaining to MTCA legislation, proposed changes in the law relating to municipal government and recommending such action to the MTCA as may be expedient. Minutes of all meetings shall be kept and forwarded to the President and Secretary of the MTCA.

C. Legislative Agenda

~~The Legislative Committee shall formulate a schedule for the adoption of the legislative agenda of the MTCA to be voted on by the Executive Board before the Annual Meeting in June. Said agenda as voted on by the membership shall be filed with the State Legislature. Said agenda shall be the binding position of the MTCA for the next legislative session, unless otherwise voted by the majority of the voting members attending a MTCA meeting.~~ The Legislative Committee shall formulate a schedule for the adoption of the MTCA legislative agenda. The agenda shall be presented to and voted on by the Executive Board and the MTCA membership prior to the commencement of each new session of the legislature, and at such other times throughout that 2-year legislative cycle as may be necessary. This agenda shall be the binding position of the MTCA for the next legislative session., unless otherwise voted by the majority of the voting members attending a MTCA meeting.

Time not permitting, 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 **by MTCA e-mail of their proposed position as well as in via** the Public Recorder of their combined action. Any position developed by the Legislative Committee and the Executive Board pursuant to this paragraph, shall be the binding position of the MTCA for the legislative session unless otherwise voted by a majority of the voting members attending a MTCA meeting.

Any member wishing to file proposals or recommendations for legislation shall do so in writing, addressed to the current chair of the Legislative Committee.

3. Nominating ~~Nomination~~ Committee

Purpose: Charged with the responsibility of nominating and presenting a slate of officers to the MTCA at the Annual Meeting that duly reflects a representation of its membership.

1. Five (5) members appointed annually by the Executive Board by ~~June 30~~ **December 31**. The members may confer with the 1st Vice President, but the 1st Vice President will not be present during voting.
2. Committee nominates the following:

For one (1) year:

- President
- First Vice President
- Second Vice President
- Secretary
- Treasurer

Three (3) years

Three Executive Board Members and any unexpired terms.

4. Budget Committee

Purpose: Charged with the responsibility of preparing and presenting an annual budget to the membership at the ~~Annual Fall Meeting~~.

1. Five (5) members, one (1) of whom shall be the Treasurer, one (1) of whom shall be the Asst. Treasurer, and three (3) members at large appointed by the Executive Board for a one (1) year term by ~~June 30~~~~December 31~~.
2. Prepares annual budget (FY July 1 – June 30 ~~January 1—December 31~~).
3. Presents annual budget to the Executive Board.
 - a. Draft version of budget to be given to Executive Board at their spring meeting.
 - b. The President shall notify the chair of the budget committee immediately as to the date of the meeting once set.
4. Presents final budget to MTCA ~~at the Annual Meeting~~ for a vote.

5. Education Committee

Purpose: Charged with developing the curricula for the MTCA conferences.

1. Seven (7) members, one of whom shall be the Second Vice President, and six (6) members at large appointed by the Executive Board for a three-year term by ~~June 30~~ ~~December 31~~ so that not more than three (3) members are replaced in any one year. (*Revised 2/13/03*) (*Revised 10/9/03*)
2. Prepares the agenda of education courses for the MTCA conferences.
3. Coordinates, develops and implements courses for the certification program (CMMC) as determined by the Certification/Examination Board.
4. Determines CMMC credit courses and optional courses to maintain consistency in the CMMC program.
5. **Shall appoint one of its members to have the responsibility of** registering all clerks for the conference classes.

6. Database Coordinator

Purpose: Charged with the purpose of updating the MTCA educational database in a format approved by the Executive Board.

1. Appointed by the Executive Board for a three (3) year term by ~~June 30~~ ~~December 31~~.
2. The data shall be the property of the MTCA.

7. MTCA Certification Program

A. MTCA Certification Administrator

Purpose: Charged with the responsibility ~~of administering—to administer~~ the MTCA Certification Program and serves as a member of the Certified Massachusetts Municipal Certification/Examination Board.

1. Appointed by the Executive Board for a three-year term by ~~June 30~~ ~~December 31~~.

B. MTCA Certification/Examination Board

Purpose: Charged with the responsibility to plan, coordinate, develop and implement the MTCA Certification Program (CMMC) and recertification program. Sets course guidelines for Education Committee in conjunction with the CMMC program.

1. Five (5) members, one (1) of whom shall be the MTCA Certification Administrator, and four (4) members appointed at large by the Executive Board for a one (1) year term by ~~June 30~~ ~~December 31~~; so that not more than two terms expire in one year.
2. All members of the Board must have successfully completed the Certification Program.
3. The certification examination shall be under the control of the Certification Administrator and the Chairman of the Certification Examination Board.

8. MTCA Conference Program

A. Conference Registration Administrator

Purpose: Charged with the responsibility of MTCA conference registration.

1. Appointed by the Executive Board for a three (3) year term by ~~June 30. December 31.~~
2. Serves as a member of the Conference Committee.

B. MTCA Conference Program Committee

Purpose: Charged with the responsibility of planning the MTCA conferences.

1. The committee shall consist of eight (8) members:
 1. MTCA President, as chair.
 2. First Vice President in charge of vendor relations.
 3. Second Vice President in charge of hotel relations.
 4. Registration Administrator.
 5. Education Registration Coordinator.
 - ~~6.~~ Three (3) additional members at large to be appointed by the President **and confirmed by the Executive Board** for a two (2) year term by ~~June 30. December 31.~~ ~~(See Appendix 1)~~

9. Public Recorder Editor

Purpose: Charged with the responsibility for collecting, assembling and publishing a monthly newsletter and soliciting advertising for *The Public Recorder*.

1. Appointed by the Executive Board for a three-year term by ~~June 30. December 31.~~

10. Scholarship Committee

Purpose: Charged with coordinating and presenting candidates for scholarship awards for the International Certified Municipal Clerk's Program (CMC).

1. Three (3) members, one (1) of whom shall be the First Vice President, and two (2) members appointed for a two year term by the President by ~~June 30. December 31.~~

11. Clerks' Manual Committee

Purpose: Charged with the responsibility of updating the Clerks' Manual.

1. Three (3) members to be appointed by the Executive Board for a three year term by ~~June 30. Dec. 31.~~

ARTICLE VIII Expenses

Expenditures will be paid by the MTCA according to the annual appropriation. Other expenditures incurred on behalf of the MTCA, not to exceed an aggregate of \$500.00, ~~will~~**shall** be paid by the Treasurer upon the approval of the President. Any expenditure greater than \$500.00 over budgeted amounts requires a vote of the Executive Board.

ARTICLE IX Termination

Any officer, Executive Board member or Standing Committee member who is absent from three (3) consecutive meetings of the board or committee may be removed **from his/her position at a duly called meeting of the Executive Board by a majority vote of those attending.** ~~and shall be filled in accordance with Article 6(3) (Appointments) of this by law.~~

Any officer, Executive Board member or Standing Committee member who cannot fulfill the duties of the office or committee as described herein, may be removed from his/her position at a duly called meeting of the Executive Board by not less than 2/3's of those attending.

Prior to a vote on either of the above, the said officer, Executive Board member or Standing Committee member will receive a written notice that such a vote will take place, and be given the right to resign. Any vacancy that occurs shall be filled in accordance with Article 6(3) (Appointments) of this by-law.

ARTICLE X Amendments

These by-laws may be amended by a two-thirds vote of those voting members present at any MTCA meeting duly called, provided that notice of the proposed amendment shall have been sent to each member at least two weeks prior to such meeting.

ARTICLE XI Endorsements

The MTCA shall not support or promote any political candidate or political appointment.

ARTICLE XII Code of Ethics

We shall uphold the IIMC, Professional, and Personal Code of Ethics, which reads:

We do hereby subscribe to the following principles and ethics which we affirm will govern our personal conduct as municipal clerks:

To uphold constitutional government and the laws of our community;

To so conduct our public and private life as to be an example to our fellow citizens;

To impact to our profession those standards of quality and integrity that the conduct of the affairs of our offices shall be above reproach and to merit public confidence in our community;

To be ever mindful of our neutrality and impartiality, rendering equal service to all and to extend the same treatment we wish to receive ourselves;

To record that which is true and preserve that which is entrusted to us as if it were our own; and

To strive constantly to improve the administration of the affairs of our office consistent with applicable laws and through sound management practices to produce continued progress and so fulfill our responsibilities to our community and others.

Executive Board Vote to approve 4/23/99

By-Laws amended January 31, 2002 (areas amended – 2nd Vice President, Legislative Comm., Nomination Comm., appointment chart and Education Comm.)

By-Laws amended February 13, 2003 (areas amended – Art. VI Appointments, Education Committee and Art. VII Education Committee)

By-Laws amended October 9, 2003 (areas amended – First Vice President, Second Vice President, Legislative Committee, and Education Committee)

By-Laws amended October 20, 2005 (areas amended – Fiscal Year, Officers, First Vice President, Secretary, Executive Board Appointments, Committees and Appointed Officers, Legislative Committee, Nomination Committee, Education Committee and Code of Ethics)

By-Laws amended June 15, 2006 (areas amended – Article III Dues Structure and Membership)

30+ YEARS SERVICE PIN AWARDS



Congratulations to the following clerks who received their 30 year MTCA pin:

Wesley Landry	Ashburnham	36 years
Ronald Adams	Bridgewater	34 years
Judith D. Sullivan	Colrain	36 years
M. Shirley Austin	Holbrook	34 years
Harriet C. Steeves	Nahant	32 years
Kathleen Sandland	Plainville	32 years
Helen Lounsbury	Raynham	32 years
Frederick Frithsen	Rockport	32 years
Paul Berry	Southborough	37 years

December Middlesex Town and City Clerks Association

NOTICE OF MEETING
Wednesday, December 6, 2006
8:30 am to 12:30 pm
Westford Regency
219 Littleton Road – Route 110
Westford, MA

The Education Program will be presented by Robert Ritchie, Assistant Attorney General, and Director Municipal Law Unit. The topic will be the history of Home Rule in Massachusetts and the historical development of the powers of cities and towns to adopt their own unique forms of government and the power to pass local laws.

This meeting is open to any Town or City clerk. Any non-members of the Middlesex Association that wish to attend please contact Ann Click, at annc@hopkinton.org.

Carol Carson, Chief, Communications and Public Education Division
Massachusetts State Ethics Commission
One Ashburton Place, Room 619,
Boston, MA 02108
ccarson@eth.state.ma.us
617-723-5851 (fax)
617-371-9501

The Massachusetts State Ethics Commission has issued its FY 2006 Annual Report. The report is available on the Commission's website at www.mass.gov/ethics/06rept.pdf.



**BEVERLY J. LITCHFIELD, MMC
TOWN CLERK OF WILBRAHAM**

Beverly J. Litchfield, MMC, Town Clerk of Wilbraham, has received the MASTER MUNICIPAL CLERK designation through the IIMC Master Municipal Clerk Academy Program. She joins an elite group of Municipal Clerks in the Commonwealth of Massachusetts who have achieved the prestigious MMC designation by completing all four levels in the Master Municipal Clerk Academy. Beverly has been a member of the IIMC since July 1994. She serves on The Board of Directors to the New England Association of City and Town Clerks, served as Secretary to the Massachusetts Town Clerks Association, and served as Secretary to the Western Massachusetts and Town Clerks Association.

**LORRAINE MURAWSKI, MMC
TOWN CLERK OF STURBRIDGE**

Lorraine Murawski, MMC, Town Clerk of Sturbridge, has received the MASTER MUNICIPAL CLERK designation through the IIMC Master Municipal Clerk Academy Program. She joins an elite group of Municipal Clerks in the Commonwealth of Massachusetts who have achieved the prestigious MMC designation by completing all four levels in the Master Municipal Clerk Academy. Lorraine has been a member of the IIMC since September 1999. She is a member of the New England Association of City and Town Clerks, served as Executive Board Member to the Massachusetts Town Clerks Association, served as Vice President to the City and Town Clerks Association of Worcester County, is a member of the National Notary Association, and is a member of the Massachusetts Justice of the Peace Association.

**JANET A. VELLANTE, CMC
TOWN CLERK OF HARVARD**

Janet A. Vellante, CMC, Town Clerk of Harvard, has been accepted into the SECOND LEVEL MEMBERSHIP OF THE IIMC MASTER MUNICIPAL CLERK ACADEMY.

The Master Municipal Clerk Academy was established to further professional education of municipal clerks to enhance their skills as needed to meet the challenges of the office of municipal clerk. Every one to four years, Academy members must demonstrate active educational and professional participation that keep them aware of changing events in the local government scene. Janet has demonstrated and obtained career development goals which will aid her in maintaining the quality of excellence that is required of today's public officials and administrators.

**NANCY M. BLACKMER, CMC
TOWN CLERK OF ORANGE**

Nancy M. Blackmer, CMC, Town Clerk of Orange, has been accepted into the FIRST LEVEL MEMBERSHIP OF THE IIMC MASTER MUNICIPAL CLERK ACADEMY.

The Master Municipal Clerk Academy was established to further professional education of municipal clerks and to enhance their skills as needed to meet the challenges of the office of municipal clerk. Every one to four years, Academy members have to demonstrate that they have actively engaged in educational and professional participation that keeps them current with the changing events in the local government scene. Nancy has demonstrated and obtained career development goals which will aid her in maintaining the quality of excellence required in today's public officials and administrators.



**PAMELA CARAKATSANE, CMC
TOWN CLERK OF IPSWICH**

Pamela Carakatsane, CMC, Town Clerk of Ipswich, has been awarded the prestigious designation of “CERTIFIED MUNICIPAL CLERK” (CMC) from the IIMC for achieving its high educational experience and service requirements.

The unique CMC Program of the IIMC was launched in 1970. The program aids municipal clerks and deputy clerks in improving job performance and recognizes the professionalism of the Municipal Clerk’s office. Completion of an IIMC-approved Municipal Clerks Institute Program or a baccalaureate degree in public administration or related field, responsible experience in local government, and participation in conferences, meetings, and educational seminars are required to earn the CMC designation.

**EILEEN S. GATES, CMC
TOWN CLERK OF MIDDLEBOROUGH**

Eileen S. Gates, CMC, Town Clerk of Middleborough, has been awarded the prestigious designation of “CERTIFIED MUNICIPAL CLERK” (CMC) from the IIMC for achieving its high educational experience and service requirements.

The unique CMC Program of the IIMC was launched in 1970. The program aids municipal clerks and deputy clerks in improving job performance and recognizes the professionalism of the Municipal Clerk’s office. Completion of an IIMC-approved Municipal Clerks Institute Program or a baccalaureate degree in public administration or related field, responsible experience in local government, and participation in conferences, meetings, and educational seminars are required to earn the CMC designation.



SEND A LITTLE SUNSHINE

(The MTCA Executive Board changed the title from Sunshine Lady to Social Secretary)

Town Clerk Nancy Morrison, West Bridgewater, is the “**Social Secretary**” for our Association and will send a card, upon request, for any necessary purpose –illness, hospital stay, marriage, baby, congratulations and/or retirement. Sadly, she sends sympathy cards and therefore her title has been changed to Social Secretary. If you know any of our members deserving of receiving a card, please contact Nancy at (508) 894-1200 or you may e-mail her at: nmorrison@wbridgewater.com

HAPPY HALLOWEEN

HAPPY HALLOWEEN

HAPPY HALLOWEEN



MTCA & NEACT CONFERENCE SCHEDULES
2006 – 2007

NEACTC 39TH ANNUAL CONFERENCE
NOVEMBER 15, 16, 17, 2006
THE MARRIOTT, NEWPORT, RI

MTCA WINTER CONFERENCE
FEBRUARY 7, 8, 9, 2007
STURBRIDGE HOST
STURBRIDGE, MA

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The Public Recorder

Newsletter of the MTCA

1009 Main Street
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The Public Recorder

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