

The Public Recorder



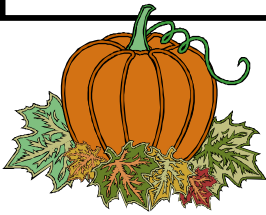
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Report of the President, Theodora K. Eaton



A Busy Start to the Fall Season! By Tedi Eaton

With the sun shining and the leaves turning their fall colors, the MTCA Fall Conference was off to a great start. Again the Williams Inn in Williamstown was our home for the last couple of days in September and on into October. The conference was well attended with approximately 150 clerks from all areas of Massachusetts as well as our state officials and class instructors. The Wednesday afternoon program had two speakers – Jean Nudd, Archivist from the National Archives & Records Administration (NARA) in Pittsfield who enthusiastically provided clerks with an outline of the records held at the National Archives Offices in Waltham and Pittsfield as well as many online resources. Next we enjoyed Glen A. Anderson, M.Ed. (Public Education Consultant & Speaker) who shared a little wisdom with humor on issues facing all of us. One clerk indicated that she laughed so hard she cried!

We learned that the final revised Open Meeting Law regulations which became effective on October 1st brought some welcome relief. For many communities, the website posting of committee and board meetings can now be considered one of the options for the 24/7 posting requirement, regional organizations can now post on their website (if they have one) instead of posting with each municipal clerk in the region, and documents used at public meetings do not have to become part of the minutes. However, those materials must be referenced in the minutes and retained separately in accordance with the public records disposition schedule. These are just a few of our favorite revisions. Check out the new regulations or the OML Frequently Asked Questions at the Attorney General's website.

The State Primary of September 14th has come and gone and we are all busy preparing for the November 2nd State Election. The new Federal MOVE Act has both the Elections Division and municipal clerks scrambling to comply with the new federal regulations in time for the November 2, 2010 State Election. Communications is not always easy and frustrations can run high for everyone. May we all work together as we learn what we can and cannot do with these new requirements. Is it not the goal of all to conduct the best elections possible for the voters of Massachusetts? If I can bring any concerns or questions you may have to the Elections Division, please send them to me and I will send out the answers either by email or in the next issue of The Public Recorder.

I listened to clerks and staff members indicate that it is sometimes difficult deciding which class to select with some courses being held at the same time. Please provide our Education Committee with your comments so they know what works and what does not as they prepare courses for the next conference and beyond. And please respond to Nancy Blackmer's survey on MTCA conference scenarios as we plan for the future. Do we want to continue with three conferences per year? Do we want to change one of the three conferences to a one or two-day conference? We need your input and hope you will respond.

Congratulations are in order for Amy E. Warfield, CMC, Assistant Town Clerk, Burlington, and Robert E. Cutler, CMC, Foxborough Town Clerk, who have just earned the prestigious Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks. Congratulations to Amy and Bob!

Good Luck to all on the upcoming State Election and mark your calendars! We look forward to seeing you at our Winter Conference at the Sturbridge Host Hotel & Conference Center in Sturbridge on February 2 – 4, 2011 and at our Summer Conference at the Sea Crest Resort and Conference Center in Falmouth on June 8 – 10, 2011.



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MTCA LOBBYIST REPORT – OCTOBER 2010

By Stephen Roche

GETTING STUFF DONE

I was sorry I couldn't join in Williamstown a few weeks ago due to the flu. I wanted to review some of our accomplishments during the 2009-2010 legislative session. The MTCA Legislative Committee had a busy two years and we got some stuff done under the leadership of Legislative Chair Larry Pizer.

Among our accomplishments are:

- passage of the vital records bill
- securing state reimbursement of the US Senate special election costs
- removal of a local surcharge for licensing animals
- halting EDR legislation that lacked funding and was not "town clerk friendly"
- freezing pre-registration legislation

We also had our legislative proposals viewed favorably and reported from the Election Laws Committee. The MTCA Legislative Committee reviewed dozens of bills (maybe hundreds) relating to elections, vital records, public records, CPA, notaries public and JPs, animal control, and on and on!

We reviewed many versions of state budgets, supplemental budgets, deficiency budgets, constitutional amendments... and on and on.

Lots of hard work but worth it. And, on September 21st, the Legislative Committee met in our Boston office to discuss the MTCA's 2011-2012 Agenda.

It looks like we will be very busy again next session. The new session begins January 19, 2011 when many of the bills that we faced this session are refiled for the next session. Let the games begin.

SPEAKER ROBERT DELEO



We also had the opportunity to present Speaker of the House Bob DeLeo his 2009 MTCA Legislator of the Year. It's interesting how things turn out; this is the second time that we have honored Bob DeLeo. The first time it was for his help just before he became chairman of the powerful House budget committee. The second time we honored him for his help just before he became Speaker. We sure know how to pick 'em!

Tedi Eaton and Larry Pizer did a great job making the presentation in Speaker DeLeo's office. What always strikes me about Speaker DeLeo is how sincere and appreciative he is. He was very engaging and we even spoke a bit about how recounts are conducted since we had the State Primary just before we met with him.

We already have recommended our choice for the 2010 MTCA Legislator of the Year but we will hold on that until next month.

REPRECINCTING LAW - CHAPTER 321 OF THE ACTS OF 2010

Congressional and legislative redistricting will be here before we know it. The General Court will oversee the process once again – 28 legislators in all:

- 21 House members; four of whom are Republicans
- 7 Senate members; one of whom must be a Republican

In March of 2009, the House of Representatives debated legislation that would have established an independent, eight-member commission to handle redistricting and deliver its recommendations to the Legislature, which would have the option of rejecting them. This proposal was easily defeated in the House by a vote of 126 N – 19 Y.

House Republicans backed the independent commission plan as did several public interest groups. The House Leadership promised to reach out to municipal officials as part of this process and that it would be “open and transparent” with a website to receive public input.

FISCAL CONCERNS

As you will recall from my presentation at the MTCA Summer Conference, I spoke about the concern in June that Massachusetts would not receive supplemental federal funding to help fill state budget gaps. Well, the federal funds did arrive and the General Court just allocated those monies. Much of it went to bolster the state’s Medicaid accounts while funding cuts in other programs from earlier budget vetoes by Governor Patrick were restored. In fact, the Secretary of State had over \$250,000 in funds included in the supplemental budget, House 5028, for the Elections account.

While it was helpful to have these federal funds arrive, there are very big concerns on Beacon Hill these days about Question 1 and Question 3 on the November Ballot. Question 3 is the biggie – if it passes, we will have to cut \$2.5 billion to make up for the loss in sales tax revenues. Adding to the concerns is the fact that we are already facing a \$2 billion “structural deficit” for FY 2012.

Question 3’s passage would result in deep cuts at the state and local levels. Recent polls suggest that voters won’t pass this question but as you know, there are a lot of angry folks out there and on any given election day ...

VITALS CELEBRATION

September 21st was a busy day for us with the Legislative Committee meeting, then the Speaker’s presentation, and an informal celebration at DPH later that day to mark the passage of the Vital Records bill. The DPH folks are very appreciative of the MTCA’s outstanding work and made frequent mention of how our support was “vital” to passage of the bill.

GOOD LUCK ON NOVEMBER 2ND

I want to wish all of you the best of luck on Election Day. I know that you and your staff are ready for a busy day. It’s going to be interesting.

MTCA CERTIFICATION EXAM (CMMC) IN JANUARY

The MTCA examination for Certified Massachusetts Municipal Clerk (CMMC) designation will be offered in January. Applications must be received by Administrator Barbara LaBombard by **DECEMBER 15th** for the January exam, which will be mailed between January 1st and January 7th.

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 February 10th for the January 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 March 1st. 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 at all MTCA conferences and from the administrator, Barbara LaBombard - (cityclerk@easthampton.org) or by calling 413-529-1460.

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International Institute of Municipal Clerks

The following individuals have earned the prestigious Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC):

Robert E. Cutler, Jr., CMC - Town Clerk - Town of Foxborough, MA.

Amy Ellen Warfield, CMC - Assistant Town Clerk - Town of Burlington, MA.

The CMC designation program is designed to enhance the job performance of the Clerk in small and large municipalities. To earn the CMC designation, a Municipal Clerk must attend extensive education programs. The designation also requires pertinent experience in a municipality. The program prepares the participants to meet the challenges of the complex role of the municipal clerks by providing them with quality education in partnership with 47 institutions of higher learning. The program has been in existence since 1970 and has helped thousands of clerks in various municipalities.

Founded in 1947, IIMC is a professional association with more than 10,000 members in the US, Canada and 15 other countries. IIMC's primary goal is to actively promote the continuing education and professional development of municipal clerks through extensive education programs, certification, recertification, publications, networking, annual conferences and research. IIMC also engages in municipal research administration, enhances critical professional skill development and fosters a spirit of mutual assistance and good fellowship among municipal clerks around the globe. IIMC is governed by a 26-member Board of Directors.

For more information please visit our website at www.iimc.com or contact us at hq@iimc.com or 909-944-4162.

Sincerely,

Chris Shalby
Executive Director



OFFICE OF THE ATTORNEY GENERAL

The Attorney General's Office finalized our regulations on the OML, 940 CMR 29.00, on October 1st. We've also updated our website, including the addition of several frequently asked questions. We are in the process of updating our Guide on the OML. All this information, including the final regulations and FAQs are available at www.mass.gov/ago/openmeeting.

Contact Information

Office of the Attorney General
Division of Open Government
One Ashburton Place
Boston MA 02108
617-963-2540

Britte McBride, Director
Britte.McBride@state.ma.us

Jonathan Sclarsic, Assistant Attorney General
Jonathan.Sclarsic@state.ma.us



The advertisement features a dark background with three columns of service offerings. Each column includes a representative image of the service: census forms, a street listing book, and voter confirmation cards. Below these are icons for 'Print', 'Mail', and 'E-Bill'. The company logo 'MA&A MARK ALTMAN & ASSOCIATES' is prominently displayed in the bottom right corner, set against a green brushstroke background. The contact information 'Mark Altman & Associates | www.markaltman.com | 877-MALTMAN' is located at the bottom left of the advertisement.

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MTCA CONFERENCE SCHEDULES 2010 - 2011

MTCA	WINTER CONFERENCE FEBRUARY 2, 3, & 4, 2011 STURBRIDGE HOST HOTEL STURBRIDGE, MA	NEATC	43 rd ANNUAL CONFERENCE NOVEMBER 17, 18 & 19, 2010 HAWTHORNE HOTEL SALEM, MA
MTCA	SUMMER CONFERENCE JUNE 8, 9, & 19, 2011 SEACREST RESORT FALMOUTH, MA		





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OCTOBER 2010

Monday	Oct. 11	Columbus Day
Sunday	Oct. 31	Halloween



NOVEMBER 2010

Tuesday	Nov. 2	State Election
Thursday	Nov. 11	Veteran's Day
Thursday	Nov. 25	Thanksgiving



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Newsletter of the MTCA

584 Main Street
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Editor

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The Public Recorder

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Phone: 978-249-4551

E-mail: townclerk@townofathol.org

Website: www.newenglandclerks.org