

Report of the President # 8
by Judy St. Croix

“On being the President”

If anyone had told me years ago that I would be the President of the Massachusetts Town Clerks' Association I never would have believed it. Fortunately, I can still remember back when I first attended the IIMC Municipal Clerk's Institute at Salve Regina College in 1987 and was told that one of the required classes would be public speaking. Anything but that - my worst fear. During high school I would lose 5 pounds the day before I had to do a book report in class or speak on the dreaded “surprise” topics. How do you stand in front of the class and talk about mushrooms for five minutes? My knees would knock. My voice would quiver. At Salve I met Kate. Anyone who has attended the Institute knows her well. She took the fear out of me and actually made public speaking seem like fun. The first speech was the most difficult but with the support of my classmates I did it. I have since conducted two town meetings in Wayland in the absence of the Moderator, have done several public speaking engagements, conduct weddings, and now I lead this wonderful Association.

I have known many a President before me. They got through it. It must be easy right? Talk about paper. I thought I had a lot in my office but since I donned the President's hat, I have acquired two 4-drawer file cabinets and a large section in a supply closet that I have managed to fill with MTCA “stuff.” I thought I was seeing things when Past President Linda Hutchenrider pulled up in front of my Town Hall for an E-Board Meeting last April and proceeded to wheel into my office five large boxes filled to the brim with MTCA “stuff.” Did I need it all? Probably not but I still had to put on my records manager hat and find the time to go through each folder and make a determination - toss or file. Then there are the e-mails - not just on one system but two. The daily correspondence. The phone calls. Invitations. Congratulations. Thank you notes.

On a daily basis I wear many other hats - psychiatrist, problem solver, inquirer, peacemaker, mother, grandmother, fortune teller, and decision maker to name a few. My office is better known as the “situation room”. But am I complaining, absolutely not, I thoroughly enjoy every moment of it and have somehow learned to do the balancing act so that my duties and responsibilities as Town Clerk have not been forgotten.

“The brighter our outlook, the broader our horizons.”

MTCA LOBBYIST REPORT – JANUARY 2006
By Stephen Roche

IT'S STATE BUDGET TIME AGAIN

On January 25th, Governor Romney released his spending plan for FY 2007 – House 2. With his decision not to seek re-election, this becomes the Governor's last budget.

The Secretary of State's accounts that affect clerks look quite solid and reflect a need for increased spending in a busy election year. Here's a look at the Governor's numbers:

<u>ACCOUNT</u>	<u>FY 2007</u>	<u>FY 2006</u>	<u>Change</u>
Elections Division Administration and Expenses	\$5,337,343	\$3,676,775	\$1,660,568
Central Voter Registration	\$5,500,701	\$4,496,243	\$1,004,458
Information to Voters	\$1,201,161	\$583,744	\$617,417

We expect the House and Senate budget committees to commence hearings on the Governor's plan shortly. Given that it's an election year, I do not expect any undue delay in delivering a budget to Governor Romney well in advance of July 1st.

ELECTION DAY REGISTRATION

Not much has happened on this issue in the past month. The problem is that the health care access debate continues to tie up key budget folks who are also responsible for resolving the differences between the House and Senate on supplemental budget issues. There is hope on Beacon Hill that work on the health care access issue will conclude in mid-February.

Our concern at this point is the possibility that the House leadership will seek to strike many outside sections¹ proposed by the Senate late last year. We saw this approach last year during the FY 2006 budget deliberations – a push to limit the use of outside sections even if there is no opposition to the subject matter of the section.

This could be problematic even though we have a number of legislators pushing the House leadership to go along with the Senate supplemental budget that contains our proposed task force.

A back-up plan is being developed in the event that the House-Senate conference committee drops the Senate EDR language. We have been advised that the House and Senate chairs of the Election Laws Committee are preparing legislation to create the EDR task force.

There is no timeline for when the Committee would move this legislation but I assume that it will be soon.

MTCA LEGISLATIVE COMMITTEE MEETING WITH MICHELLE TASSINARI

The Legislative Committee and I met last month with the new Elections Division Director. I am not reporting on the details of that meeting in this column since I expect that you will be hearing a lot about it at the upcoming Winter Conference.

I will tell you that I found our meeting with Michelle to be very refreshing. We candidly discussed a number of issues and found ourselves on common ground in most instances.

We are presently trying to arrange a similar meeting with Alan Cote, the Supervisor of Public Records. Needless-to-say, we have a number of issues to discuss with Mr. Cote, especially Exemptions O and P in the Massachusetts Public Records Law.

¹ Outside section refers to the sections found in a state budget after the line item appropriations; they are generally used to set policy for those matters funded in the line items.

NEW CLERK LEGISLATION TO BE FILED

We are presently recruiting legislative sponsors for the MTCA's two new bills to:

- Eliminate the check-out table
- Eliminate the cancellation devise

At this point, the following legislators have offered their assistance:

- Senators Susan Fargo, Brian Joyce and Susan Tucker
- Representatives Robert Coughlin, James Eldridge, Barry Finegold and Susan Pope

We expect to add a few more sponsors before filing the two bills by February 10th.

HOUSE 1680 – CPA MONEY FOR RESTORING HISTORIC DOCUMENTS & ARTIFACTS

The House of Representatives gave final approval to House 1680 on January 26th and sent the bill to the State Senate. This is the bill filed by Representative Patricia Walrath to authorize community preservation committees to use funds for the restoration of historic town documents and artifacts.

House 1680 is now before the Senate's Committee on Ethics & Rules. We hope to see this moving through the Senate soon.

NEW IDENTITY STANDARDS

As you know, there is much discussion on the national level about new, tougher requirements for drivers' licenses and other forms of identification. Here's a glance at what we are now seeing on the state level.

Case in point is Senate 2199. A bill summary follows:

By Robert L. Hedlund: Prohibits any public entity that provides services from accepting, relying upon or utilizing any identification document which is not secure and verifiable, or otherwise issuing identification cards to persons who fail to produce said documentation; defines said secure and verifiable documents as those issued by a state or federal jurisdiction or otherwise recognized by the United States government; exempts actions in violation of said provisions from government immunity; entitles peace officers to continuing immunity under the articulated circumstances; exempts the articulated parties from said provisions; establishes a presumption that use of forged documents creates an intent to defraud.

Under this legislation, a person could use an original birth certificate to seek state benefits or services but a copy of a certificate would not be acceptable. This legislation is based upon a law recently adopted by the State of Colorado.

NAME YOUR STATE SYMBOLS

Just to prove that we're not taking ourselves too seriously on Beacon Hill, there were a number of proposed state symbols recently discussed at a State House committee hearing to designate:

- the number 6 as the official state number
- double fudge brownie as the official ice cream
- squash as the state vegetable
- the NECCO wafer as the official candy

The above bills were sent to a study. The only bill reported favorably was one to designate the garter snake as the state reptile. Can you imagine being the lobbyist for snake interests on Beacon Hill?



**CELEBRATE THE RETIREMENT OF
KATHLEEN M. SCANLON, WILMINGTON TOWN CLERK**

DATE: THURSDAY, MARCH 30, 2006
COCKTAIL HOUR: 6:00 – 7:00 P.M.
DINNER: 7:00 P.M.
PLACE: CASA DI FIOR
128 WEST STREET, WILMINGTON, MA (OFF ROUTE 93)
TICKETS: \$35.00 PER PERSON (Gift included)

Before Thursday March 23rd, tickets may be purchased from:

Town Manager's Office	978-658-2626
Liz Carey (Tewksbury)	978-640-4355
Shirley Schultz (Billerica)	978-671-0924



**CHERYL A JOHNSON, CMC
TOWN CLERK OF READING**

Cheryl a. Johnson, CMC, 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.

**DEBORAH F. DAMI, CMC
TOWN CLERK OF MASHPEE**

Deborah F. Dami, CMC, 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 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.

**NANCY MORRISON, CMC
TOWN CLERK OF WEST BRIDGEWATER**

Nancy Morrison has been awarded the prestigious designation of "Certified Municipal Clerk" (CMC).

The IIMC Certified Municipal Clerk (CMC) Program aids municipal clerks in improving job performance and recognizes the professionalization of the Municipal Clerk's Office.

**THEROUX REJECTS CLERKS OFFER**

Though he declined the position, Richard M. Theroux says he is willing to help Springfield's city clerk's office as it reorganizes.

By Dan Lamothe
dlamothe@repub.com

AGAWAM – Richard M. Theroux, a long time player in local politics, was recently offered the vacant city clerk's position in Springfield.

But he declined it, citing his satisfaction with remaining in Agawam, he said yesterday.

Theroux, the city clerk here for the past 22 years and a six-term city councilor before that, said the decision was made after consulting with his family. He would have been required to move to Springfield in order to accept the position.

"Agawam is our home, and it's really as simple as that," he said.

He said he agrees with Springfield Mayor Charles V. Ryan's assessment that whoever holds the city clerk's post there should live in Springfield.

Theroux said he was offered the job after meeting with Ryan a month ago. The offer became more specific after he met with Philip Puccia, executive director of the Springfield Finance Control Board, a week later, he said.

Theroux declined to disclose the salary he was offered, but he said it would have been a raise compared to the \$78,000 a year he earns in Agawam. William J. Metzger, who served as both Springfield city clerk and clerk of the City Council, made \$104,000 a year when he retired on Jan. 13.

Last week, Theroux sent Ryan a letter formally declining the job offer, but volunteering his assistance as Springfield looks to make changes to the way its clerk's office runs.

"I will be glad to take my vacation time to help the clerk's office make the changes that you feel are necessary (in Springfield)," he said in the Jan. 19 letter.

Ryan could not be reached for comment, but was frequently on the same page with Theroux in recent weeks as a federal corruption probe at the Pioneer Valley Transit Authority was launched. Both men serve on the authority's advisory board, and have called for Gary A. Shepard, the authority's director, to cooperate with federal investigators.

Agawam Mayor Richard A. Cohen said he was aware of the offer that Theroux received, and believed it shows that other communities are aware of the "wealth of information" he possesses.

"He runs a very efficient and effective clerk's office for the city of Agawam, and I think Springfield realizes that," said Cohen.

Theroux said he has yet to make a decision on whether to seek the 3rd Hampden District seat in the state House of Representatives, which will be vacated when Daniel F. Keenan, D-Southwick, resigns next month in order to take a vice presidency with the Sisters of Providence Health System.

"I need to have one discussion with my wife at a time," said Theroux. Last week, he declined to say whether he was considering a run for the seat.



SOUTHBRIDGE TOWN CLERK, MADALINE ALICEA DAOUST
ELECTED TO CREDIT UNION BOARD

The Southbridge Credit Union announced today the election of Madaline Alicea Daoust to the community credit union's 5-member Board of Directors.

Ms. Daoust was elected to a three-year term. The directors set policy and oversee the management of operations.

A Southbridge native, Ms. Daoust serves as the Town Clerk of Southbridge. She graduated from the International Institute of Municipal Clerks and expects to receive the professional designation Certified Municipal Clerk in 2007. She graduated from St. Mary's School, attended Marianhill High School and graduated from Southbridge High School.

Prior to her election as Town Clerk she worked in that office and as a Massachusetts Electric Company customer service representative.

She lives in Southbridge with her husband, Ronald, and their children, Alicia, age 16, and Michael, 10.

IT'S TIME!

New England Municipal Clerks Institute & Academy
Scholarship Application.....

By Sally M. Hayden, 1st Vice-President, Chair-Scholarship Committee

As mentioned in the January issue of The Public Recorder, the scholarship application is included in this issue. Please file your application to the address below, accompanied by a letter from you Finance Director or Board of Selectmen that states you have been denied funds from your municipality. Deadline for applications is May 1, 2006. All applications will be reviewed by the Scholarship Committee and the recipients will be announced at the June Conference. Members of the MTCA Scholarship Committee are Sally M. Hayden, Rutland, Marlene B. Chused, Sharon, and Sandra J. Burgess, Pelham.

This year the Institute will be held in Colchester, VT at St. Michael College. Preference is given to first-time students, but all students have a chance for a scholarship. The state associations, the New England Association of City and Town Clerks and the New England Municipal Clerks Institute all provide money for scholarships to go the Institute. The scholarship chairman will process the application on the state level and forward it the New England Association for further funding if needed.

Remember - deadline is **MAY 1, 2006!!**

Submit scholarship application to:
Sally M. Hayden, Chair-Scholarship Committee
Town of Rutland, 250 Main Street, Rutland, MA 01543
Phone-(508)886-4105, Fax-(508)886-2929, sallyh@townofrutland.org

NEACTC
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. The Joint Scholarship Committee shall consist of a committee made up of members appointed by the President of the New England Association of City & Town Clerks and the Chair of the NEMCI & Academy Board of Directors.
3. Scholarship money from both sources shall be combined and allocated to applicants as agreed by the committee, with the exception of funds specifically earmarked and in the possession of the New England Municipal Clerks Institute & Academy Board of Directors.
4. The NEACTC President appoints a Joint Scholarship Chairman to serve for three years.
5. Scholarships shall be awarded to students attending the New England Municipal Clerks Institute and Academy.
6. Scholarship awards will be limited to one person per office with the Clerk having first preference.
7. Applicant must be a Municipal Clerk or Deputy/Assistant Clerk.
8. The Joint Scholarship Committee will give priority to first year Institute students.
9. An applicant must be a current member of his or her state association.
10. An applicant must have been a member of the NEACTC for over one year.
11. Applicant shall disclose at time of application they have applied for IIMC funds.
12. An applicant must have requested funds from his/her municipality and include a letter of denial for such funds.

1. Applicants should (after denial from municipality) send this application to their state association for funding. A reason for denial or explanation must accompany this application in order to be considered.
2. Deadline for filing an application with the Joint Scholarship Chair is May 21, 2006.
3. Joint Scholarship Chair will notify the applicant, the Treasurer of the NEACTC, and the Treasurer of the NEMCI & Academy by June 4, 2006.

Joint Scholarship Chairperson

VT: Linda Spence, PO Box 830, Manchester Center VT, 05255, 802-362-1315, fax 802-362-1315
manclerk@sover.net

State Scholarship Chairpersons

CT: William R. Hamel, 50 Church St., Windsor Locks CT, 06096, 860-627-1441, fax 860-292-1121
townclerk@wlocks.com

ME: Connie Brown, PO Box 67, Orland, Me 04472 - phone 207 469-3186, fax 469-3187
orland@midmaine.com

MA: Sally M. Hayden, Town of Rutland, 250 Main St., Rutland MA 01543, 508-886-4104, fax 508-886-2929
sallyh@townofrutland.org

NH: Sharon Teel, PO Box 194, Center Sandwich NH, 03227, 603-284-7113, fax 603-763-4608
[No E-Mail](#)

RI: Maureen Smith, Deputy Town Clerk, Town of Lincoln, 100 River Rd., PO Box 100, Lincoln RI 02860
401-333-3648, fax: 401-333-8450 msmith@lincolnri.org

New England Association of City & Town Clerks
And
New England Municipal Clerks Institute & Academy
SCHOLARSHIP APPLICATION

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-----------|
| 1. I am a Deputy or Municipal 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 my state association. | _____ | _____ |
| 5. I am a dues-paying member of the New England Association
Of City & Town Clerks and have been a member for at least
one year prior to the date of this application. | _____ | _____ |

If you have answered **YES** to all of the above, 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

NAME _____ DATE _____
 ADDRESS _____ PHONE _____ FAX _____
 JOB TITLE/TOWN _____ POPULATION _____
 EMAIL ADDRESS _____

I am applying for financial assistance for the New England Municipal Clerks Institute Year _____ or Academy Course

AMOUNT REQUESTED \$

If Academy student, the year you graduated from the Institute:

My Municipality will pay \$

I have _____ have not _____ applied to IIMC for scholarship funds. IIMC will pay \$

Return this application, letter of denial and any necessary letter of explanation to your STATE Scholarship Chair(on page 2 of this application) by your state deadline.

Applicants from ME and NH need additional paperwork. Check with your State Scholarship Chair

FOR USE BY STATE SCHOLARSHIP CHAIR ONLY:

Date received: _____ Date action taken: _____

Amount awarded: _____ **OR:** Reason for denial _____

After state action, State Scholarship Chair should forward to NEACTC Joint Chair by May 21, 2006

FOR USE BY NEACTC JOINT SCHOLARSHIP COMMITTEE CHAIR ONLY:

Date received: _____ Date action taken: _____

Amount awarded: _____ **OR:** Reason for denial _____

Raffle & Bazaar Permit Questionnaire
Compiled by: Kaari M. Tari, Westford Town Clerk

Following a Middlesex County Clerks' Meeting, where Raffles & Bazaars were discussed, Kaari composed the following sample questionnaire.

Raffle & Bazaar Permit Questionnaire

Please complete and return these pages with your completed application forms

The ORGANIZATION

1. Name and Address of your Organization:
2. Is or organization a nonprofit / charitable organization as defined in MGL Ch. 271, Sec. 7A? **Yes / No.**

Please refer to the list below:

- a. Veterans organization
- b. Church or religious organization
- c. Fraternal or fraternal benefit society
- d. Educational or charitable organization
- e. Civic or service club or organization
- f. Club or organization organized and operated exclusively for pleasure, recreation and other nonprofit purposes, no part of the net earnings inures to the benefit of any member or shareholder

A "public charity," must be in compliance with MGL Ch. 12 & 68.

*A "**nonprofit**" entity has a **charitable purpose** and benefits an **indefinite** number of people.*

3. You may be asked to provide **evidence** that your organization has been actively functioning as a nonprofit organization in the commonwealth for a period of not less than two years. (ex., tax returns or bank records)
4. Has your organization been issued a raffle/bazaar permit from the Town of Westford in the last 2 years? **Yes / No**
5. Has your organization filed an Annual Report with the Town of Westford for the previous permits following expiration (1 year after the issuance of the permit)?

Yes / No

If you have not already done so, an Annual Report must be filed before the next permit may be issued.

6. Has your organization had a raffle/bazaar permit revoked in the last 3 years?

Yes / No

7. Has your organization held more than 3 bazaars in a calendar year? **Yes / No**

8. Do you have permission from the organization to seek a permit on their behalf?

Yes / No

9. You may be asked to provide a letter of authorization.

The APPLICATION

- 10. Have three officers of the organization signed the application? **Yes / No**
 - a. The same three people will need to sign the annual report following the expiration of the permit.
- 11. Have you indicated the use of the proceeds in detail? **Yes / No**

If permit application information changes after being submitted, you need to inform us so the application can be evaluated with the new information.

The EVENT

- 12. Is bingo/beano being held at the bazaar? **Yes / No**
- 13. Is your organization aware of the law that applies to raffles and bazaars? (MGL Ch. 271, Sec. 7A) **Yes / No**
- 14. Have you reviewed Questions and Answers on Nonprofit Gaming Events? **Yes / No**
- 15. Have you reviewed the regulations, 940 CMR 12.00 (large raffles: one in which the ticket price is more than \$10.00 or the prize is greater than \$10,000) and 940 CMR 13.00 (Bazaars), if they apply? **Yes / No**
If not, please let us know if you need a copy of the regulations.

The LOTTERY COMMISSION

- 16. Will send you information and forms about your tax requirements.
- 17. Within 10 days after holding the event, the organization must report to the Lottery Commission its gross proceeds, expenses and net proceeds and **pay a 5% TAX** on the gross proceeds.
 - a. This is an excise tax on wagering and applies to all groups. Your non-profit status does not exempt you from this tax, rather, your non-profit status allows you to qualify for the permit.
 - b. Interest and penalties may be assessed on late tax returns.

ANNUAL REPORT

- 18. Within 30 days of the permit's expiration (1 year after the issuance), the organization must file 2 copies of a financial report with the Town Clerk certified by the 3 officers on the application and an accountant.



MARCH

5 TH	Anniversary of the Boston Massacre
12 th – 18 th	Employ the Older Worker Week
17 th	Happy St. Patrick's Day and Evacuation Day (the evacuation of Boston by the British)
19 th – 25 th	Practical Nursing Education Week
25 th	Greek Independence Day
27 th	Italian American War Veterans of the United States, Inc. Day (in recognition for their patriotic service)
29 th	Vietnam Veterans Day

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☎ 1-800-775-3107 ext. #2 for John W. Dresch, or # 5 for Jeff Gasparini

MTCA & NEACT CONFERENCE SCHEDULES

2006

IIMC	60 th ANNUAL CONFERENCE MAY 14 - 18, 2006 ANNAHEIM, CA	MTCA	FALL CONFERENCE OCTOBER 4, 5, 6, 2006 JIMINY PEAK, HANCOCK, MA
MTCA	SUMMER CONFERENCE JUNE 14-16, 2006 SEA CREST, FALMOUTH, MA	NEACTC	39 TH ANNUAL CONFERENCE NOVEMBER 16 - 18, 2006 THE MARRIOT, NEWPORT, RI

MASSACHUSETTS

14 COUNTIES

49 CITIES 302 TOWNS

The state is 190 miles, east – west
and 110 miles, north – south

Source: Massachusetts facts 8/1/05

The Public Recorder

Newsletter of the MTCA

**1009 Main Street
Tewksbury, MA 01876**



Massachusetts Town Clerks Association

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The Public Recorder

The Recorder is published monthly by the Massachusetts Town Clerks' Association for its membership.

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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