

## Standard Department Narrative Form

Department Name: **Town Clerk**

Department Number 161

### Purpose of Department/Mission

The Town Clerk's functions are prescribed by Massachusetts General Laws, Town by Laws, and by Montague's Town Meeting Acts Chapter 398 of 1962. We are the keeper of records and the chief election officer. We organize the polls and poll workers, maintain voting equipment and prepare ballots for town elections. The Town Clerk assists the Moderator and records town meeting minutes along with certifying town meeting votes and appropriations. This office submits bylaw changes to the state attorney general for approval.

The Town Clerk conducts the annual town census, registers voters, certifies nomination papers and voters petitions and engages in voter education. We also license dogs on an annual basis.

Vital records are a major role in this office. All births, marriages and deaths are processed through this office.

The Town Clerk's Office is an office where the public and other offices within the Town of Montague can come for information. There is a lot of time spent searching for information. This office provides instant gratification, answers and research to the people who call, write or step foot inside this office.

### Department Staffing

- One full-time elected Town Clerk
- One full-time appointed Assistant Town Clerk

### Mandated Services

#### MGL Chapter 41 Section 15 **Town Meeting**

- Record all votes passed at town meetings
- Administer the oaths of office to all town officers
- Record all oaths administered above and the oaths taken before justices of the peace
- Immediately after every annual election of town officers, transmit to the state secretary a complete list of all town officers elected and qualified
- Promptly report to the secretary any changes in such officers
- Within seven days after the qualification of a constable make return of his name to the clerk of the courts and to the sheriff of the county
- Make and keep an index of instruments entered with him required by law to be recorded, which shall be divided into five columns, with appropriate headings for recording the date of reception, names of the parties, and book and page on which each instrument is recorded
- As soon as an order or vote appropriating money becomes effective, certify to the assessors and town accountant each appropriation in detail and the funding source. (41:15A)

### **Return & Registry of Births, Marriages and Deaths.**

- Filing certificates of birth, marriage, deaths and acknowledgements and adjudications of paternity. (46:1)
- Filing reports of out of state births or adoptions. (46:1B)
- Filing reports of out of state deaths. (46:1C)
- Separate indexes of births, marriages & deaths shall be kept and shall be numbered in its order.
- Disclosure of information about vital statistics. (46:2A)
- The Town Clerk Shall, on or before the 10<sup>th</sup> day of the month, transmit to the State Registrar, the original records of births, marriages and deaths and any documentation relating to said certificates recorded therein during the preceding month, or, in case no such births, marriages or deaths have occurred, a certificate of such fact. (46:17, 17A,B)

### **Elections – Chief Election Officer**

- Wards and voting precincts. (54:1-10)
- Election officers (54:11-23)
- Voting Places (54:24-25A)
- Ballot Boxes, voting machines, counting apparatus & blanks. (54:26-39)
- Preparation and form of ballots. (54:40-47)
- Information to voters. (54:48-58A)
- Delivery of ballots. (54:59-61)
- Conduct of elections. (54:65-75)
- Manner of voting. (54:76-85A)
- Absentee voters. (54:86-103A)
- Counting of votes. (54:104-109)
- Certification of votes to State Secretary. (54:112)

### **Town Census / Street Listings**

- The making of lists by registrars or boards. (51:4)
- Notifying residents of opportunity to register. (51:4A)
- Street list. (51:6)
- Form, contents and distribution of street lists. (51:7)

### **Care and Preservation of Records**

- Preparation of records. (66:3,4)
- Storage of records. (66:11,12)
- Binding and repairing books. (66:9)
- Retention schedules. (66:8)

### **Variances, Permits and Decisions**

- The Town Clerk receives, files and transmits documents and issues certificate and certified copies.
- The Town Clerk signs off on decisions once the appeal period is over and no appeals have been filed.
- All chapter 40A documents are public records.

### **Filings**

- The Town Clerk keeps all rules and regulations on file of all boards and officers. (40:33)
- The Town Clerk records all meeting notices. (39:23B)
- The Town Clerk time stamps all filings with the date and the time.

### **Officials of the Town**

- The Town Clerk swears in all appointed and elected officials. (41:15)
- Appointments, resignation, or removals are also recorded with the clerk.
- Resignations are not effective until filed with the Town Clerk. (41:09)
- The Town Clerk reports to the Secretary of State any changes in officers.

### **Decisions of the Board of Appeals**

- The Town Clerk must file copies of rules and amendments of board of appeals. (40A:9)
- The Town Clerk must be post hearing notices not less than 14 days before the day of the hearing. (40A:11)
- The Town Clerk must receive and file a copy of its decision of a special permit within 90 days of the hearing. (40A:15)
- The Town Clerk files any appeals of decision within 20 days after the date the notice was filed in the office of the town clerk. (40A:17)

### **Decisions of the Board of Appeals for Subdivisions (Planning)**

- The Town Clerk must post hearing notices not less than 14 days before the day of the hearing. (41:81T)
- The Town Clerk must file a copy of its decision within 60 days (41:81U)
- The Town Clerk must receive and file the notice of appeal within 20 days after the notice or certificate of action by the planning board was filed. (41:88BB)

### **Dogs**

- The Town Clerk is responsible for issuing the certificates and dog tags, for keeping a record of the dog licenses issued and dogs destroyed by the dog officer, accounting for the money collected for licenses and for making out a monthly

report covering all licenses issued during the preceding month.  
(140:137,147,151A)

### **Legal**

- All law suits and claims against the town are filed with the Town Clerk.
- Bankruptcies, declarations of trust.
- Going out of business filings and liquidation sales are filed with the Town Clerk.
- Conflict of interest statements, activities of special municipal employees are filed with the Town Clerk.

### **Roads**

- Original road layouts, plans and files are permanent records with the Town Clerk. (82:21)
- Alterations, discontinuances, abandonment's and petition for name changes are also filed the Town Clerk.

### **Utilities**

- The Town Clerk Files decisions on utility pole placements, wires, conduits and gas pipes. (166:22)

### **Raffles, Permits and Other Licenses**

- Raffle permits and their annual reports are issued and filed with the Town Clerk. (271:7A)
- Licenses such as auctioneer's, billiards and pool. (100:3)
- Transient vendor. (101:5)
- Flammable Liquids. (148:13)
- Hawker/Peddler. (101:5)

### **Other Programs/Services Provided**

- Hunting and fishing licenses are sold in this office.
- Responsible for publishing the first 1/3<sup>rd</sup> of the annual report.

### **Revenues Generated**

- Copy Fees
- Uniform Commercial Code Fees
- Street Lists Fees
- Business Certificate Fees
- Pole Location Fees
- Marriage Intention Fees
- Raffle Permit Fees

- Dog license and late fees
- Fuel Storage Fees