



MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.

PRESIDENT'S MESSAGE by 2014 MCANJ President John M. Mitch



I hope this newsletter finds you well and that you were able to take some time off during the summer. During the month of July I was able to get away from the office for two weeks with my wife and children to spend time in California. After spending the first leg of our trip in the Los Angeles area visiting Venice Beach, Hollywood, Beverly Hills, and Santa Monica, we spent a few days in Anaheim before driving south to San Diego where we enjoyed Sea World, San Diego Zoo, Mission Beach, and Coronado Island.

Wherever I go, as a volunteer fireman and a municipal employee, I always take notice of fire houses and municipal buildings. I would assume as a Municipal Clerk, you may too. And it never fails, if I am driving by one of these places and I do not mention it out loud to someone else in the car, rest assured they will mention it to me to be sure that I saw it. With that said, I could not help but to be awed by the beauty of the Beverly Hills Municipal Building; (although I should not have expected anything less). While different in architectural style, having just seen Milwaukee's City Hall in May during the IIMC Conference, it's nice to see where other municipal employees work.

In the last Quill I referenced a number of important topics including the renewal of liquor licenses and new procedures for handling Financial Disclosure Statements. While most of us have our liquor license renewals completed, many of us have had to take additional steps (at the instruction of the Department of Community Affairs [DCA]) to get our Local Government Officials (LGOs) to timely file their Financial Disclosure Statements (FDS). What happened to Municipal Clerks only having to create and maintain a roster???? With a number of Municipal Clerks calling me to express their frustration with having to do this, I couldn't agree more. Now, we are finding ourselves faced with the task of following up with LGOs and letting them know of the penalties associated for not filing. While I know many of us handle our responsibilities a little different from each other, I personally monitored the filings week after week and reminded the non-filers on multiple occasions of their obligation. Having done that over and over again, I would have preferred the state issue a penalty from the start in hopes of getting the attention of those LGOs who did not recognize the importance of this requirement. But, because of their non-responsiveness, it caused many of us additional and unnecessary work.

On August 4, 2014, I received 40 notifications from the DCA for LGOs who failed to file. I immediately contacted the DCA because there was a big discrepancy between their number and mine. It turned out that a majority of the notifications were sent out in error, due to a software error in identifying non-filers. The following day the DCA sent an e-mail clarifying their notification and further explaining who should have received them. The corrected version brought my non-filers down to 16. While I didn't appreciate the sudden shift in gears by dropping what I was doing when the 40 notifications came in and trying to figure out what was going on, I appreciated the DCA's immediate attention to my inquiry.

On other developments, and likely one dear to all of us, the Governor continues to talk about public employee health benefits and pension reforms. While none of us have a crystal ball to know what will ultimately happen, we all know the direction he is heading. Late July the Governor announced that he would appoint a five member non-partisan "New Jersey Pension and Health Benefit Study Commission" to review these subject matters, charging the commission to provide him a report of their findings and recommendations within 30-days of organizing. One week after this announcement, he ended up appointing a nine member Commission who was charged with making recommendations regarding (1) The goals and criteria for a sustainable retirement and health benefit system that recognizes the state's desire to attract and retain a highly skilled workforce; (2) Courses of action concerning plan design changes to current pension and health benefits; and (3) Funding policies for the pension and health benefit systems that will have a high likelihood of allowing the state to achieve these goals.

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PAST EDITORS:

1954-1959: J. Ford Flagg
1960-1970: John R. Zellweger
1971-1973: Joseph E. Bennett
1974-1982: Harry C. Kates
1983-1993: Janet L. Lynds
1994-1995: Patricia Hullfish and Patricia C. Shuss, Co-Editors
1996-2000: Patricia C. Shuss
2001-2005: Nancy Hatten

MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC. EXECUTIVE BOARD 2014

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MCANJ PAST PRESIDENTS * EX OFFICIO MEMBERS

1974: Joseph V. Valenti	1995: Christina N. Wilder	2005: Jane Williams-Warren
1975: Alfred A. Reda	1996: Joseph C. Favaro	2006: Elaine B. Kennedy
1977: Otto M. Bock	1997: Elizabeth H. Kiss	2007: Barbara M. Hawk
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1985: Elizabeth G. Nolan	2000: Nancy Hatten	2009: Joan Moreland
1987: Lewis N. Thompson	2001: Sharon L. Brienza	2010: Vincent Buttiglieri
1988: Elaine Wallace	2002: Bernadette Standowski	2011: Joanne M. Kwasniewski
1993: John J. Galvin	2003: Allan Susen	2012: Andrew J. Pavlica
1994: Kathleen A. Thorpe	2004: Joel Popkin	2013: Nancy Saffos

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Thomas Redanauer, Barrington Borough	Christina N. Wilder, Hamilton Township	Elizabeth H. Kiss, East Brunswick Township

MCANJ ADVISORY BOARD MEMBERS 2014

Atlantic:	Carol L. Degrassi, Somers Point City	Middlesex:	Barbara Nyitrai, South Brunswick Township
Bergen:	Heather A. Mailander, Ridgewood Village	Monmouth:	Jane Gillespie, Spring Lake Borough
Burlington:	Patricia Hunt, Moorestown Township	Morris:	Yancy Wazirmas, Parsippany-Troy Hills Township
Camden:	Deanna Bennett, Haddonfield Borough	Ocean:	Maryann Ellsworth, Point Pleasant Beach Borough
Cape May:	Scott Jett, North Wildwood City	Passaic:	Jane Williams-Warren, Paterson City
Cumberland:	Susan G. Robostello, Millville City	Salem:	Cynthia Dalessio, Woodstown Borough
Essex:	Linda S. Wanat, Montclair Township	Somerset:	Sharon Brienza, Branchburg Township
Gloucester:	Patricia Frontino, Glassboro Borough	Sussex:	James Doherty, Wantage Township
Hudson:	Alberto Cabrera, Guttenberg Town	Union:	Jeffrey Jotz, Rahway City
Hunterdon:	Cecilia Covino, Clinton Town	Warren:	Kelley Smith, Harmony Township
Mercer:	Sharon Young, West Windsor Township		

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Atlantic:	Olga Perez, Egg Harbor Township	Middlesex:	Nennette Perry, East Brunswick Township
Bergen:	Laura Borchers, Ho-Ho-Kus Borough	Monmouth:	Jane Gillespie, Spring Lake Borough
Burlington:	Kim-Marie White, Eastampton Township	Morris:	Sheila Williams, Florham Park Borough
Camden:	Deanna Bennett, Haddonfield Borough	Ocean:	Mary Madonna, Surf City Borough
Cape May:	Christopher Wood, Wildwood City	Passaic:	Kelley A. Rohde, Ringwood Borough
Cumberland:	Roy Spoltore, Upper Deerfield Township	Salem:	Esther Mitchell, Mannington Township
Essex:	Joyce Lanier, Newark City	Somerset:	Kevin Sluka, Somerville Borough
Gloucester:	Dina Zawadski, Deptford Township	Sussex:	Amy Lobban, Stillwater Township
Hudson:	N/A	Union:	Doreen Cali, Roselle Park
Hunterdon:	Cynthia Ege, Lambertville City	Warren:	Kelley Smith, Harmony Township
Mercer:	Delores Williams, Princeton		

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PRESIDENT'S MESSAGE

by 2014 MCANJ President John M. Mitch

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The Commission is charged with examining (1) The history of the state's existing pension and health benefit systems in order to understand what has put the systems in their current state; (2) Reform by other government entities; (3) Pension and health benefits provided in the private sector; and (4) Other factors it deems relevant in order to develop its recommendations involving pension and health benefit reforms that will strengthen the systems financial standing with less cost to the taxpayers while providing public employees and retirees with an appropriate level of benefits.

We all want the pension plan to be solvent and be able to receive the benefit at the level that we were promised. Only time will tell where the reforms will end but I am not certain that full review and recommendations can be done in the 30-days' time period that was first indicated.

Years ago many people did not want to work in public employment, mainly due to the low wages and salaries that were associated with it. Others saw a brighter side to public employment because it offered reasonable health benefits at minimal costs. Back then, many did not want government employees to be on par with private sector employees but now, it seems they do.

While we wait patiently, we have seen astronomical increases in our health benefit contribution, an increase in our pension contribution, and a state that continues to not fully fund their obligation to the latter. There has been some talk in Trenton about the state funding their obligation on a monthly basis (prorated) rather than waiting to the end of their budget year and then indicating if they can make the payment or not. Can you imagine telling your personal lending institution that you'll wait to pay your payments at the end of the year and then when the time comes, you indicate that you can't afford to make a payment at all? Chances are you won't get to the end of the year as foreclosure proceedings will have already begun and your car would have already been repossessed.

On a much better note, on Friday, August 15, 2014, MCANJ's Executive Board met with Laura Flagg, Rutgers new (Municipal Clerks) Senior Program Coordinator of RMC, CMC and MMC classes. She was accompanied by her Director Alan Zalkind and the meeting was well received. One of Ms. Flagg's first moves was to extend to myself and our Executive Director a seat at the table when she meets with their Education Advisory Board (formerly known as Rutgers Education Committee). She has some exciting announcements in the future for RMC candidates that will help jump start them into their next level of education. I will yield to her to make this formal announcement at a later date. In the meantime, we look forward to a productive working relationship.

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PRESIDENT'S MESSAGE
by 2014 MCANJ President John M. Mitch

Continued from Page 3

We are still waiting to hear of any movement on Bills dealing with GRC, OPRA and OPMA in the State Legislature. I understand that they are all tied together and will be released in the future by the Senate Majority Leader. While we continue to wait patiently, please know that our Legislative Committee and Executive Board will be prepared to respond upon their release if necessary.

Next month many of us will be at the New Jersey League of Municipalities Conference. Our Education Committee has worked with MCANJ 1st Vice President Keith Kazmark to put together a number of MCANJ sponsored sessions that will offer CEU opportunities. They are: ABC Exceptions (Tuesday, November 18, 2014 @ 2:00 p.m. with 2.0 CEU's in Licensing.), What's Hot in the World of Elections (Wednesday, November 19, 2014 @ 9:00 a.m. with 2.0 CEU's in Elections), and the Quest for Government Integrity (Wednesday, November 19, 2014 @ 2:00 p.m. with 2.0 CEU's in Ethics). Since all of MCANJ's sessions are being held in the Convention Center, you will not have to claim a certificate at the end of each session. You will simply have to follow the scanning procedures using your League issued badge and then upon your return from the conference, you can simply print your certificate(s) from the NJLM website. In addition to our sessions, the League has many other sessions available that offer CEU opportunities as well. One of the annual sessions is the Legislative Update which will be held on Tuesday, November 18, 2014 @ 10:00 a.m. Former MCANJ President Sharon Brienza will be sitting on this panel. There will also be two session for OPRA on Thursday, November 20, 2014 which includes a Joint-Session. For a full listing, please visit the NJLM website or refer to an upcoming NJLM Magazine (November).

The NJLM will also host a General Consulting Period Round Table (Exhibit Hall Floor / Hall A; 2nd Level of the Convention Center on Tuesday, November 18, 2014 from 2:00 – 4:00 p.m.). This is set up to provide experts in various fields of municipal government to discuss problems or questions raised by delegates. They are very informal discussions between the consultant and the delegate. MCANJ's consultant this year is our association's Secretary, Kevin Galland. If you have an opportunity, please stop by to see him. Or, if you have any elected or appointed officials who may have questions, please suggest that they visit the consulting period.

Executive Director Joel Popkin, 1st V.P. Keith Kazmark and I met with representatives of the Taj Mahal Hotel & Casino and have finalized the dates for the 2015 Annual Education Conference. The conference is expected to begin with a late afternoon registration (3:00 p.m. – 5:00 p.m.) on Sunday, June 14, 2015 and will offer a General Session from 4:00 – 5:15 p.m. (1.5 CEU's) followed by a reception. On Monday, June 15, 2015, we plan to begin the day with breakfast, opening remarks, a General Session, Annual Meeting, lunch, another General Session, and concurrent breakout sessions. During the day your breaks will allow you time to visit with our vendors. You will also have a vendor reception (with light fare and beverages) late afternoon which will allow more time to visit with them. Vendors will also offer prizes during this time. Dinner that evening will be on your own. A total of 5.5 CEU's will be offered on this first full day. On Tuesday, June 16, 2015, we plan to begin the day with breakfast, followed by remarks, two General Sessions, lunch, and two periods of concurrent breakout sessions. This day we will also hold our popular silent auction event where we raise funds for scholarship for our own members. We will also hold our banquet dinner that evening. On Wednesday morning, June 17, 2015, we plan to begin the day with a breakfast, followed by two General Sessions and then close the conference with announcing several free registrations for the 2016 conference. All attendees should be on the road before noon and can head back home or to their offices for the afternoon.

This year's conference may appear jam packed but was set up to try and get our members both on the road earlier and out of their offices less. Prices for conference registration and hotel rooms will be announced in the near future. Our conference committee from last year remains intact so we are hoping you enjoy what we put together. If you have any suggestions, please shoot me an e-mail as we are still early in the planning stages.

I also want to inform you that our Manual Review committee members and RMC Instructors have been working on updating the MCANJ Desk Reference. They expect to have their final submittals to Coded Systems by mid-September. As soon as the updates are ready, we will get word out to you.

In closing, let me send a shout out to Robbinsville Clerk (Mercer County) Michele Seigfried. On Tuesday, August 19, 2014, she was among ten New Jersey authors who appeared at TD Bank Ballpark; home of the Somerset Patriots minor league baseball team (Somerset County) for a book signing and a meet-and-greet event. Michele has authored several books. (see related story on People Page in this issue). On behalf of MCANJ, congratulations to Michele for authoring two picture books for children and two adult mystery novels. Best wishes for continued success !

MCANJ MEMBERSHIP REPORT as of September 8, 2014

<u>County</u>	<u>Total # Municipalities</u>	<u># of Municipalities Paid</u>	<u>% Paid</u>
Atlantic	23	17	74%
Bergen	70	51	73%
Burlington	40	30	75%
Camden	37	27	73%
Cape May	16	11	69%
Cumberland	14	7	50%
Essex	22	17	77%
Gloucester	24	17	71%
Hudson	12	6	50%
Hunterdon	26	23	88%
Mercer	13	8	62%
Middlesex	25	22	88%
Monmouth	53	38	72%
Morris	39	30	77%
Ocean	33	27	82%
Passaic	16	13	81%
Salem	15	10	67%
Somerset	21	16	76%
Sussex	24	18	75%
Union	21	15	71%
Warren	22	18	82%

MCANJ, INC. MEMBERSHIP

As Of September 8, 2014

Full —Municipal Clerk	442
Full—Acting Municipal Clerk	16
Full —Clerk of Freeholder Board	2
Full—County Clerk	2
Associate —Assistant Municipal Clerk	21
Associate—Deputy Municipal Clerk	172
Associate—Deputy County Clerk	1
Honorary Membership (Retired)	45
Affiliate—All Other	25
GRAND TOTAL:	726

Respectfully Submitted,

Dina Zawadski, RMC/CMC
MCANJ Treasurer



A message from Rutgers

Greetings MCANJ members! I wanted to take this opportunity to introduce myself as the new Municipal Clerks Program Coordinator at the Center for Government Services. I've been with CGS for over three years, coordinating certification and continuing education programming for municipal officials and I'm excited to now be working with the Clerks Program.

As I begin this new endeavor, my attention is on meeting course needs throughout the state and increasing the continuing education offerings for RMC and IIMC certifications. I always appreciate suggestions on seminar topics that will meet your needs and interests. Feel free to contact me at any time with session topics or speaker suggestions. I want to thank everyone for the warm welcome that I've received and I look forward to working with you!

Laura Flagg
flagg@docs.rutgers.edu
Phone: 732-932-3640 x623
Fax: 732-932-3586





PEOPLE PAGE

by Sharon Brienza

CONGRATULATIONS

RETIREMENTS

After 12 years of service, Donna Burham, Clinton Township (Hunterdon County), has retired as Municipal Clerk. Mayor Kevin Cimei paid tribute to Burham at the governing body's May 28 meeting calling her "the backbone of the organization" and said she'd always done her job "with competence (and) maintaining the appropriate confidentialities." Congratulations Donna!

TRANSITIONS

Carla Conner, Donna Burham's Deputy, has been appointed Acting Township Clerk for Clinton Township. Best wishes Carla!

The Verona Township Council appointed Jennifer Kiernan as Municipal Clerk effective August 1, 2014. Jennifer worked in the Clerk's office as an assistant and typist for the past three years and grew up in Verona.



Borough Clerk Susan Witkowski (pictured below), Hillsdale Borough (Bergen County), was named Borough Administrator on July 8, 2014.



Joseph Kolodziej has been appointed as the new Administrator/Clerk for the Borough of Emerson (Bergen County). He is currently a councilman in Clifton, works as the COO of a manufacturing company there, and serves on the board of directors of the St. Barnabas Foundation of Livingston and the Evergreen Manor senior housing corporation in Clifton.



From Nancy Hatten: "When I retired in August 2010, my assistant was Anne Dodd. Earlier this year she left Tenaflly to become the Clerk in Bergenfield, adjacent to Tenaflly. That makes two Clerks (Eileen DeFabiis in Montague was first in March 2010) who were my Assistants who have gone on to be Clerks in their own right." Way to go, Nancy! You will always be one of our Association's brightest stars.

Joseph Terraccino, husband of Mary Terraccio, Deputy Township Clerk and Tax Collector for the Township of South Hackensack (Bergen County), was sworn in as the new Chief of Police for South Hackensack.

(Pictured at right: South Hackensack Municipal Clerk Donna L. Gambutti (far right) swears in Joseph Terraccino as his wife Mary holds the Bible, with daughters Jennifer Zanca and Stephanie Terraccino looking on. Congratulations!).



PEOPLE PAGE, Continued

by Sharon Brienza



Ceil Covino, Municipal Clerk for Clinton Town (Hunterdon County) and husband Mike - pictured at the Coliseum in Rome.



MCANJ President John Mitch with his family. Pictured l-r: John, daughters Kelly and Kara, son Tommy, and wife Laura in Coronado Island, California.



PLAY BALL: Patricia Gatto, Clerk of the Borough of Folsom (Atlantic County), let us know that her son, Joe, was selected as a second round pick in the June 5, 2014 MLB Draft by the Los Angeles Angels. Go get 'em, Joe!



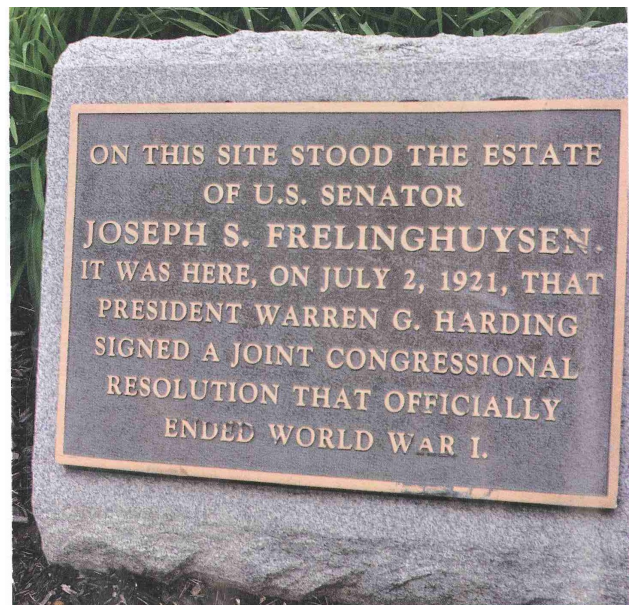
SOMERSET PATRIOTS WELCOME CHILDREN'S AUTHORS

On August 19, ten authors of children's books attended the Somerset Patriots (TD Bank) Ballpark for a Super Summer Reader event. Attending was MCANJ's own Michele Seigfried (Robbinsville Township, Mercer County), pictured at left, who has written and illustrated four children's books and two adult mystery novels. She reportedly has a third mystery in the works which will be another sequel to her popular "Red Tape" & "Tax Cut" series.

HISTORIC MARKER

From Sharon Brienza: Having lived in Somerset County for more than 30 years, and less than five minutes from the "Somerville Circle" I was shocked when I came across this bit of information in the summer edition of "Inside Jersey." I have passed this little piece of history hundreds, if not thousands, of times and never noticed it until July 25, 2014 while I was sitting at a traffic light and there it was - right in front of me!

This marker commemorates the end of World War I when President Warren G. Harding signed a joint congressional resolution that officially ended the war at the country estate of former Senator Joseph Frelinghuysen which is now the "Somerville Circle." So apparently, World War I ended at the Somerville Circle!



PEOPLE PAGE, Continued

by Sharon Brienza

CONDOLENCES

To Vita Mekovetz, Readington Township Clerk (Hunterdon County), on the passing of her husband, Jim, on August 15.

To Maria Dellasala, Millstone Township Clerk (Monmouth County) on the passing of her husband, Bob, on August 13.

To Nancy Saffos, Cherry Hill Township (Camden County) on the death of her grandmother.

Our condolences to all.

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## RETIREE NEWS

**RETIREES:** Please keep us up-to-date on how you are doing and what you are doing. We would love to hear from you!



*Pictured l to r above: Bernadette Dubuss, Bette's Mom (age 94) and Bette Mastropasqua.*

From Bette Mastropasqua: "As many of you know, I've been keeping in touch with MCANJ Past President Bernadette DuBuss for the last 1-1/2 years. On a recent visit with my Mom in Tampa, we got together for lunch. Bernadette's husband Frank and daughter Eileen joined us for the best 2 hour lunch ever. We all had a great afternoon and agreed we'd get together again. Bernadette is doing great, looking good and still a bubbly happy person. She sends her greetings to all ...and I think we are going to plan a "Retired" Clerks get together in Orlando...anyone interested ...let me know. I've got room for 8 at my time share!"



### **A FRIEND OF THE MUNICIPAL CLERK**

Several retired MCANJ Past-Presidents recently visited Ford Pfiffer, who assisted the MCANJ when annual conferences and Annual Meetings were held at the Tropicana in Atlantic City.

Pictured (l-r) at his restaurant, The Surf Dog Bar and Grill in Woodbine, New Jersey: Manny Hirshblond (1981), Ford, Janet Hirshblond, Barbara Hawk (2007), Bill Hawk, Joan Moreland (2009), Rich Moreland and Bernadette Standowski (2002).

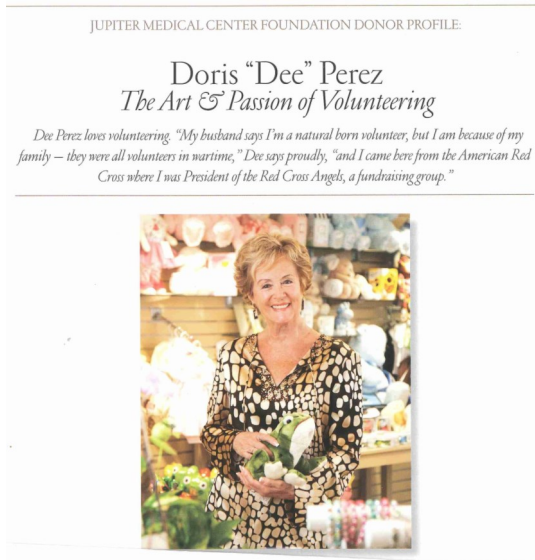


## PEOPLE PAGE, Continued

by Sharon Brienza

### RETIREE NEWS, Continued

Doris “Dee” Perez (Mahwah) was featured in the July, 2013 issue on what she has been up to since retiring and moving to Florida. She just sent this great article from the Spring 2014 Jupiter Medical Center Foundation magazine where she is profiled for her art & passion of volunteering. She tells me that she is having a fabulous time. Her second term as the President of the Jupiter Medical Center Auxiliary starts in October and her husband, Dan, is her greatest supporter. Congratulations, Dee! (She also mentioned that she loves getting the E-mail version of the Quill.)



*Today, as President of the Jupiter Medical Center Auxiliary, Dee heads an organization of more than 700 very dedicated and passionate JMC volunteers who contribute close to 100,000 hours a year – a donation in service of over \$2 million a year.*

*“Our volunteers are the lifeblood of Jupiter Medical Center,” says Dee, pointing to the stunning success of the Auxiliary Thrift Shop & Gift Shop; “There’s an art to making these unique venues succeed – knowing what the customers are looking for, how to find vintage and unique items, and how to display them. It’s not just a matter of selling items that people need. It’s making these items look so attractive that people come and go, “Oh, my gosh! I must have this!”*

*On December 12, 2013, Dee presented a check in the amount of \$240,000.00 to the Jupiter Medical Center Foundation.*

## IMPORTANT REMINDER

### NJ LEAGUE OF MUNICIPALITIES CONVENTION

The MCANJ has changed its Annual Business Meeting date. There will be no Clerks Annual Meeting during the NJ League of Municipalities Convention in November,

The next Installation Meeting for MCANJ will be June 15, 2015.

Nor are there any blocks of rooms being reserved for Clerks at the NJ League of Municipalities Convention, since the cost of reserving a block of rooms is the same cost as if each person makes their own reservation.

Individuals wishing to make room reservations for attending the NJ League of Municipalities Convention should proceed using the Room Reservation Form available from the NJ League of Municipalities.

Numerous opportunities exist at the League Convention for Municipal Clerks and Deputies to pick up Contact Hours for credit toward CEUs required for recertification. Check the NJ League of Municipalities Website for a full listing of seminars, classes and meetings available for this purpose.

<http://www.njslom.org/99thconf/delegates.html>

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# MUNICIPAL CLERK OF THE YEAR

A County Association or an individual Clerk may nominate a candidate for Municipal Clerk of the Year. Previous honorees are those individuals who have made positive contributions to our profession for the benefit of all of us. The Association invites you to submit the name of a Municipal Clerk who has had an impact on our profession and who should be considered for this prestigious honor.

## MUNICIPAL CLERK OF THE YEAR NOMINATION FORM

(please type)

All nominees must be members of the Municipal Clerks' Association of NJ, Inc., currently employed as Municipal Clerks and tenured in their positions. Current members of the Executive Board and former recipients of the award are not eligible. Qualifications must include activities within the MCANJ and may include related community and volunteer work. The selection of the annual "Municipal Clerk of the Year" is made by the Executive Board and announced at the Association's Annual Meeting during the Annual Education Conference in June in Atlantic City. The deadline for submission is February 16, 2015.

**Nominee:** \_\_\_\_\_

***Appointment Date*** \_\_\_\_\_

Municipality \_\_\_\_\_

Address \_\_\_\_\_

County \_\_\_\_\_

Qualifications of Nominee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach statement in support of Nominee's candidacy (maximum 500 words)

You may also access this form if you are viewing the Quill on line at: Clerk of the Year: [Click Here.](#)

Nomination made by \_\_\_\_\_  
(Name of County Organization or Individual)

Address \_\_\_\_\_

Contact Person \_\_\_\_\_

Address \_\_\_\_\_ Phone No. \_\_\_\_\_



Submit to: Kevin Galland  
Borough of Woodland Park  
5 Brophy Lane  
Woodland Park, NJ 07424  
Phone: 862 -377-5369

***Deadline for submission: February 16, 2015***

## UPDATED APPLICATION FOR CANDIDACY: MCANJ EXECUTIVE BOARD

Article VI Section 1.1. of the Constitution and Bylaws of the Municipal Clerks' Association of New Jersey, Inc., specifies, "Anyone seeking to be a candidate must file with the Secretary not later than 120 days prior to the Annual Meeting. No additional applications shall be accepted after this date." Article VI Section 1.3. specifies the criteria for eligibility to seek office: "All candidates shall have tenure of office, shall have experience and training for that office, shall have received the degree of Registered Municipal Clerk (RMC), and shall be actively employed as a Municipal Clerk." For anyone seeking a position on the Executive Board of FY2015 (with the exception of the office of President), the following application must be filed by February 16, 2015 in order to be eligible for consideration by the membership at the Annual Meeting to be held in Atlantic City on June 15, 2015. Officers shall serve from July 1, 2015 through June 30, 2016. Check one:

☐ 1<sup>st</sup> Vice President    ☐ 2<sup>nd</sup> Vice President    ☐ Treasurer    ☐ Secretary

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Municipality Employed by: \_\_\_\_\_

Position: \_\_\_\_\_

\*\* Date of Original Appointment: \_\_\_\_\_

\*\* Date(s) of Reappointment: \_\_\_\_\_

\*\* RMC Certificate Number: \_\_\_\_\_ Date Issued: \_\_\_\_\_

I, \_\_\_\_\_, hereby certify that I am actively employed by  
\_\_\_\_\_ as a Municipal Clerk and am qualified to submit  
(Municipality)  
my name as a candidate for the office of \_\_\_\_\_ of the MCANJ for FY2015.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**\*\* Attach certified copies of Resolutions of Appointment and RMC Certificate.  
(Current members of the Executive Board seeking successive office are exempt from refiling these supporting documents.)**

If you are viewing this issue of the Quill on line, you may also access this form at:

Application for Candidacy: [Click Here.](#)



**APPLICATIONS MUST BE RECEIVED BY  
FEBRUARY 16, 2015 AND MUST BE MAILED TO :**  
Kevin Galland  
Borough of Woodland Park  
5 Brophy Lane  
Woodland Park, NJ 07424  
Phone: 862-377-5369



## MCANJ SCHOLARSHIP APPLICATION

The Application Process for the MCANJ Scholarship program has undergone some changes. The deadline date for submission of applications has been adjusted to reflect the recent change in the Annual Business Meeting schedule. We welcome this opportunity to assist you in the pursuit of your continuing education as a professional municipal clerk, and encourage you to send in your application for these scholarships.

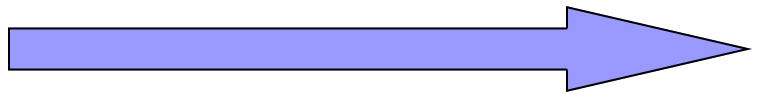
### **APPLICATION DEADLINE IS JANUARY 15, 2015.**

Completed applications may be sent by Regular Mail or by E-mail.

Via Regular Mail to: MCANJ SCHOLARSHIP Committee c/o Karen Hughes, RMC, Westwood Borough,  
101 Washington Avenue, Westwood, NJ 07675

Via E-Mail to: [khughes@westwoodnj.gov](mailto:khughes@westwoodnj.gov)

Use the Application Form shown on the opposite page



Or if you are viewing the Quill On Line, you may access the form as follows: Scholarship: [Click Here.](http://www.njclerks.org/documents/Scholarships/ScholarshipApplication2014-07-01.pdf)  
<http://www.njclerks.org/documents/Scholarships/ScholarshipApplication2014-07-01.pdf>

If you have Questions, Phone me at 201-664-7100, ext. 101. Good Luck!

Karen Hughes, RMC, Westwood Borough  
MCANJ Scholarship Committee Chair

## **POSITION AVAILABLE: QUILL EDITOR**

As of the end of June, 2015, I will have had the privilege of serving as Quill Editor for nine and a half years. I have enjoyed my time in this role immensely. Fortunately, I have a wonderful support staff to assist me. The time has come for me to step down from this position, and turn the reigns over to a new Quill Editor.

The duties of Quill Editor are accomplished right from your personal computer, using telephone contact, E-mail submissions, and the occasional Fax transmission. The finished product for each Quill issue is sent electronically to a printing company, who coordinates the typesetting and mailing of the issue on behalf of the Association. Coordinating deadlines for people to submit various articles, knowing which MCANJ application forms should be included in which issue, and an understanding of Microsoft Publisher and Excel are all aspects of this job. The job also involves coordinating the Photographer for the annual business meeting, interacting with potential advertisers, and offering update reports to MCANJ officers from time to time. Having a nodding acquaintance with the rules of English grammar and spelling also comes in handy. The editor also serves as a de facto Historian of MCANJ Archives, maintaining various historical records of the Association for safe keeping. There is a modest stipend paid for this position, but this is much more a labor of love than an income-producing opportunity.



If you are interested in being the next Editor of The Quill, please contact MCANJ 1st Vice President Keith Kazmark at E-mail: [1vicepresident@njclerks.org](mailto:1vicepresident@njclerks.org) or at telephone 201-796-1457 Ext. 202. The person selected by Keith will begin the transition process into the Editor position by assisting me with the first two issues of 2015, and then will take over as of July 1, 2015. The deadline for you to express an interest in this position is November 1, 2014.

Thanks!  
Jim Doherty

## MCANJ SCHOLARSHIP APPLICATION

Municipal Clerks, Deputy Municipal Clerks and Assistant Municipal Clerks continuing their education in pursuit of RMC, CMC and MMC certifications are eligible for a Scholarship. **All candidates must be members of the Municipal Clerks' Association of New Jersey. CMC and MMC Scholarship candidates must also be tenured Municipal Clerks; however if no tenured clerks apply, consideration will be given to non-tenured clerks.** Scholarships shall be awarded at the MCANJ Annual Meeting as follows: Four (4) RMC Scholarships, One (1) Peter H. Maclearie CMC Scholarship, and One (1) MMC Scholarship.

Date of Application: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Municipality: \_\_\_\_\_ Tenure Date: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Date of Appointment as Municipal Clerk: \_\_\_\_\_ Deputy Municipal Clerk \_\_\_\_\_

### Applying for (check one)

- ☐ RMC Scholarship - cost of one (1) RMC class offered by Rutgers University
- ☐ CMC Scholarship – cost of one (1) CMC class offered by Rutgers University
- ☐ MMC Scholarship – cost of one (1) MMC class offered by Rutgers University

List the RMC, CMC and MMC education classes taken and indicated whether the municipality or you paid for the course.

| Name of Class | Paid For By |              |
|---------------|-------------|--------------|
|               | Self        | Municipality |
|               |             |              |
|               |             |              |
|               |             |              |
|               |             |              |
|               |             |              |
|               |             |              |

Briefly Explain Why you feel this scholarship should be awarded to you.

## TWO NJ MUNICIPAL CLERKS TAPPED TO LEAD IIMC

The International Institute of Municipal Clerks (IIMC) have recognized two New Jerseyans for professional leadership excellence.

At the May 22, 2014 IIMC Annual Business Meeting in Milwaukee, Wisconsin, Ocean Township Municipal Clerk Vincent 'Vinny' Buttiglieri was sworn in as Vice President of IIMC, and Garfield City Clerk Andrew J. 'Drew' Pavlica was sworn in as a Region Director of IIMC. As Vice President, Buttiglieri will become President of IIMC; Pavlica was elected to a three-year term.

IIMC is governed by a 26 member Board of Directors with two Directors from 11 Regions around the Globe. Founded in 1947, IIMC is the leading professional association serving the needs of municipal clerks, secretaries, recorders and other allied associations from cities and towns worldwide. IIMC's primary goal is to promote the continuing education, ethics and professional development of municipal clerks through extensive education programs, publications, networking, annual conference and research. As an educational catalyst, the 9,941 member IIMC inspires Clerks to expand and advance beyond their present level of development.

Vinny Buttiglieri is recognized as a Master Municipal Clerk by IIMC. He is a Past President (2010) of the Municipal Clerks' Association of New Jersey and was an indispensable member of the committee that brought the Annual IIMC Conference to Atlantic City in 2013. He has also participated on many panels for County and State Associations, IIMC and New Jersey State League of Municipalities. Prior to assuming his current leadership position for IIMC, Vinny served as a Region II Director.

As IIMC Vice President, Vinny has outlined his goals for his term on the Executive Committee including his vision of growing membership, enhancing and expanding the global presence of IIMC and the expansion of on-line member services. Vinny will assume the Presidency of IIMC at the 70th Annual Conference to be held in Omaha, Nebraska in May 2016, the seventh such New Jersey Municipal Clerk to assume this prestigious position. He will preside as President over the 71st Annual Conference of IIMC to be held in Montreal, Canada in 2017.



Drew Pavlica is recognized as a Master Municipal Clerk by IIMC and also is a Past President (2012) of the Municipal Clerks' Association of New Jersey. He has been a leader in the field of Clerk education as evidenced by his service as Chairperson of the vital Education Committee which oversaw the New Jersey IIMC Institute at Rutgers University. Drew also served as a valuable member of the New Jersey Committee that brought the IIMC Conference to Atlantic City. Both Drew and Vinny served as Co-Chairs of the Fundraising Committee of that conference.

As Region II Director, Drew will represent Municipal Clerks from New Jersey, Delaware, Maryland, Virginia, Pennsylvania, West Virginia and Washington D.C. As Region II Director, Drew will work with these municipal clerks to promote IIMC's presence in and around the region.

It is an honor and a privilege to have New Jersey so exceptionally represented with two of its own serving in leadership positions of the world-wide International Institute of Municipal Clerks.

John M. Mitch, RMC, CMC, CMR  
MCANJ President /  
Woodbridge Township Municipal Clerk



## 2015 IIMC ANNUAL CONFERENCE INFORMATION

By Vincent Buttiglieri, Vice President, IIMC

The International Institute of Municipal Clerks (IIMC) and the Planning Committee from Region I are busy finalizing the plans for the 2015 IIMC Conference. This year's conference is only a short distance from New Jersey – being held in Hartford, Connecticut. With the close proximity to New Jersey, we are hoping to get a large turnout of MCANJ members.

Hartford has been ranked among the top 6 percent of North American metropolitan areas for its abundance of arts, culture and history. Greater Hartford features dining, entertainment and leisure activities for every taste, including more than 30 three- and four-star restaurants. At night, the city sizzles as Downtown bars and clubs serve up some of the best jazz, blues and rock.

Across the street from the Marriott Hartford Downtown (the Host Hotel) is the Front Street entertainment complex. Opened in 2012, it features the Spotlight Theatre – a luxury theater featuring state-of-the-art sound and its Spotlight Bistro restaurant.

A couple of blocks away is Connecticut's Old State House, which is the oldest state house in the U.S. The building's historic rooms include the site of the historic Amistad Trial. Also featured is a Museum of Curiosities showcasing wonders from around the world including a two-headed calf. A stroll away is Downtown's scenic Bushnell Park, the oldest public park in the U.S. with more than 700 trees on 37 acres. It features the 100-year-old Bushnell Park Carousel.

The theme of this year's conference is "Seasons Change and So Do We". Never has that theme been more appropriate. Not only do our jobs change and evolve on a daily basis but the conference structure has also experienced change this year. Some highlights of the 2015 IIMC Conference are:

The length of the conference has been reduced from 5 day to 4 days (Sunday, May 17 through Wednesday, May 20, 2015). There are three hotels being utilized: Marriott Hartford Downtown (Host Hotel), Hilton Hotel and the Radisson Hotel. Even with the reduced conference, attendees will still be receiving 8 education points (same as previous conferences). There will be 2 General Sessions and 35 Concurrent Sessions (a reduction of 1 General Session). 4 Athenian Dialogues are being offered – 2 on Saturday, May 16th and 2 on Sunday, May 17th (Instructors will be Mary Lynn Stratta, Chuck Tokar, Kerry Bush and Patty McCoy).

The Early Bird Registration Fee will be \$575.00.



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Attendees will experience a savings from past conferences by having one less evening accommodations plus incidental charges.

Please join your fellow Clerks from around the world at the 2015 IIMC Conference in Hartford, Connecticut. It promises to be one of the very best conferences (besides Atlantic City, of course) in recent years.

#### GRANT OPPORTUNITY FOR CONFERENCE COSTS:

The IIMC Annual Conference Grant Program is funded by the Municipal Clerks Education Foundation. The Conference Grant Program allows two IIMC members in each Region (I through XI) an opportunity to receive a Grant award covering registration expenses for the IIMC Annual Conference. Applications will be sent to each IIMC Region Director immediately. Region Directors will confirm each applicant's eligibility, review all submissions, and submit their award nominations/selections to IIMC Headquarters for recipient notification.

# Municipal Clerks, Civil Rights and Counsel Fees

*by Richard Lustgarten, MCANJ Legal Counsel*



It has generally been recognized in the United States and in state courts, that each party to litigation is responsible for their own attorney's fees. This approach is generally known as the "American Rule" compared to the "English Rule" which effectively holds that "loser pays."

Despite the general rule, there is a trend that a prevailing party is entitled to reasonable attorney's fees from the other party.

The "loser pays" approach is typically set forth in specific legislation known as fee shifting statutes.

While the general "American Rule" is still the norm, research indicates that there are approximately 26 New Jersey fee shifting statutes which contain multiple subsections for the award of counsel fees.

Some of these statutes relate to agriculture, commercial transactions, financial institutions, sewerage authorities, certain professional occupations, trade name and anti-trust actions, the statutes that relate to malfunctioning automobiles (lemon-law), unfair trade practices relating to consumer credit transactions and civil rights violations.

Civil rights violations include, though are not limited to, illegal search and seizures, deprivation of First Amendment rights, improper removal from a public position, and the most common, which is excessive use of force, euphemistically called "police brutality."

In the past, these actions were mostly brought under the Federal statutes 42 U.S.C.A. 1983 & 1988- commonly known as a 1983 action.

Section 1983 was adopted as part of the Civil Rights Act of 1871 and was also known as the anti-Ku Klux Klan Act because it provided civil remedies, specifically in the Southern states, of abuses caused by the KKK against those newly liberated citizens in the post-Civil War era.

The significant and relevant parts of Section 1983 provide that every person who under color of law subjects or causes any citizen of the United States to be deprived of any right, privilege or immunity secured by the Constitution and laws shall be liable to the injured party in a lawsuit.

Since 1961, the U.S. Supreme Court has decided many cases interpreting who and what is covered by Section 1983 and the trend has generally been to expand the right of access to the Courts under it. Of great significance and concern, is Section 1988 (b), which authorizes reasonable attorney's fees and costs to a "prevailing party" in a 1983 action.

What is not as widely known is the fact that our Legislature has enacted the New Jersey Civil Rights Act (NJSA 10:6-2(f)) which, to a degree, parallels the 1983 process. This state statute also permits the award of reasonable attorney's fees and costs to a prevailing party.

This statute is of recent vintage – having been enacted in 2004. While to some degree it mirrors Section 1983, its language is somewhat different. The New Jersey act indicates that any person that has been deprived of any substantive rights, privileges or immunities secured by the Constitution or laws of this state or whose rights have been interfered with may bring a civil action for damages.

So what does all of this have to do with a Municipal Clerk? In a case decided in July of this year - - plenty!

In a Faulkner Act municipality, the City Clerk was presented a petition to hold a referendum to challenge an ordinance.

The applicable statute provides that the petition shall be submitted within 20 days after the adoption of the ordinance. There was some confusion as to the number of signatures required because the clerk provided the petitioners with two different sets of numbers. The petition was submitted 19 days after the ordinance was enacted which was timely; however, the number of signatures was deficient. On that basis the clerk refused to accept the filing of the petition.

*Continued on Page 17*

## Municipal Clerks, Civil Rights and Counsel Fees

*by Richard Lustgarten, MCANJ Legal Counsel*

*Continued from Page 16*

Subsequently the petitioners filed a supplemental submission with additional signatures but the clerk rejected this attempt as being beyond the 20 day period.

The appropriate statute permits a 10 day window to supplement a petition after the initial 20 days has elapsed if deficiencies in the original petition are noted. Ultimately the clerk still rejected the petition and litigation at the trial level commenced. The trial court found in favor of the petitioners to have the referendum placed on the ballot and, in addition, found that the plaintiffs had succeeded in their civil rights claim and awarded over \$69,000 in attorney's fees and costs.

The Appellate Division reversed the trial court finding that, although the clerk was incorrect in refusing to file the original petition, the petitioners were not entitled to attorney's fees under the New Jersey Civil Rights Act since the ordinance was ultimately submitted to the voters by court order and therefore they suffered no 'deprivation'.

The New Jersey Supreme Court reversed the Appellate Division and reinstated the trial court's award of counsel fees.

The Supreme Court opinion is extremely detailed and reviews historically the origins of the referendum statute as well as the Court discussing actions under Section 1983 and then determined the applicability of the New Jersey statute under the facts of this case.

In a 4-2 decision, the Supreme Court stated that the petitioners' substantive right of having the petition appropriately reviewed and placed on the ballot was violated, at the time it was rejected by the clerk.

This determination is critical to the decision because if a 'substantive right' is not violated the New Jersey Civil Rights Act would not apply.

The majority acknowledged that there is no precise definition of what a substantive right is in the Civil Rights Act and that the legislative history shed little light on its precise meaning.

The Court then spent a significant amount of time reviewing the types of actions covered by Section 1983 and used those decisions as a basis for its interpretation of the New Jersey Act, although clearly acknowledging that the two acts are somewhat different in that Section 1983 provides remedies for the deprivation of both procedural and substantive rights while the state act provides remedies only for a violation of a substantive right.

This, of course, is legal parsing but nevertheless consistent with the applicable standards of a court's statutory review and interpretation thereof.

The Court determined that the Faulkner Act confers a substantive right of referendum protected by the New Jersey Act and that conclusion carried the day.

The dissent indicated that, prior to this case, there was no guidance, for municipal clerks in Faulkner Act municipalities relating to a civil rights deprivation and the dissent would have upheld the Appellate Division reversal of the trial court.

As a practical matter, this case opens the door, in my opinion, for more litigation against municipal clerks for alleged violations of substantive rights.

While municipal clerks are thoroughly familiar with the 'punitive' side of OPRA, this case complicates the decision-making process of municipal clerks with respect to denials or incomplete responses to requests of them in all of the other areas to which municipal clerks must respond. This will be a fertile area for new and innovative litigation. The simple responses of the past may now be the groundwork for a lawsuit alleging a substantive rights deprivation. This body of law will develop on a case by case basis and clerks should consult with their municipal attorneys since the reasoning of the case by the Supreme Court will not just be limited to Faulkner Act communities or issues relating to referenda but will have universal application in my view.

The case is *Tumpson v Farina*, decided July 31, 2014, and may be obtained online if you wish to read the full text.

"Oh, how full of briers is this working – day world."  
(W. Shakespeare – *As You Like It*)



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## WHO'S WHO IN THE HISTORY OF THE MCANJ

WE, AS MUNICIPAL CLERKS OF THE 21ST CENTURY IN THE STATE OF NEW JERSEY, HAVE AN OBLIGATION TO HONOR AND REMEMBER THOSE WHO HAVE PAVED THE WAY FOR US. EACH OF THE INDIVIDUALS SHOWN TO THE RIGHT SERVED NOT ONLY THEIR COMMUNITIES BUT THEIR FELLOW CLERKS, WITH TIRELESS ENTHUSIASM. THROUGH THEIR LEADERSHIP SKILLS, THEY ACHIEVED GROUNDBREAKING ACCOMPLISHMENTS DURING THEIR TERM AS PRESIDENT OF THE MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY. THEIR RECORDS OF SUCCESS HAVE SET THE BAR HIGH FOR THOSE WHO HAVE COME AFTER THEM. WE HONOR THEM WITH OUR SERVICE, AND WITH OUR ACKNOWLEDGEMENT OF THEIR CONTRIBUTIONS.

TEST YOUR KNOWLEDGE OF OUR ASSOCIATION'S HISTORY. SEE IF YOU CAN MATCH THE NAME WITH THE PHOTO!

ANSWERS WILL BE GIVEN ON THE MCANJ FACEBOOK PAGE ON NOVEMBER 1, 2014, AND IN THE JANUARY 2015 ISSUE OF THE QUILL.

\_\_\_\_\_ Florence Rutan, 1960

\_\_\_\_\_ Edith Marion, 1965

\_\_\_\_\_ Norma Sisco, 1978

\_\_\_\_\_ Merrill Montgomery, 1984

\_\_\_\_\_ Elizabeth Nolan, 1985

\_\_\_\_\_ Elaine Wallace, 1988

\_\_\_\_\_ Mildred Bird, 1991

\_\_\_\_\_ Lynn Stanzlaus, 1998



### DEADLINES FOR NEWSLETTER ITEMS

The deadline for People Page submissions for the January 2015 issue is December 1, 2014. Please send People Page news to:  
Sharon Brienza, Municipal Clerk, Branchburg Township, 1077 US Highway 202 North, Branchburg, NJ 08876  
or via Email at [Sharon.Brienza@branchburg.nj.us](mailto:Sharon.Brienza@branchburg.nj.us)

The General News Articles deadline is December 8, 2014, and may be sent to:  
Jim Doherty, Township of Wantage, 888 Route 23, Wantage, NJ 07461 or via email to: [administrator@wantagewp-nj.org](mailto:administrator@wantagewp-nj.org).

Questions or comments regarding this or any issue of the *Quill* may be directed to the Editor, Jim Doherty,  
by calling 973-875-7192 or using the contact information shown above.

Articles for submission should be prepared in Microsoft Word, using Times New Roman 10-point font.

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