

PRESIDENT'S
MESSAGE
DIANE M PFLUGFELDER



President's Message from Diane M. Pflugfelder



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Will Standard of Review
Impact Municipalities
BY:
RICHARD LUSTGARTEN,
ESQ



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STATE OF THE ASSOCIATION
BY IMMEDIATE
PAST PRESIDENT
KEVIN GALLAND



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MCANJ CONFERENCE
RE-CAP



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I am proud to be a member of the Municipal Clerks' Association of New Jersey. With the help and support of the Executive Board members and you, the membership, I will do my best to serve as your 2019-2020 President.

Our Association has a long history of a strong leadership foundation, and I am fortunate to have such a strong membership to work with. You have always gone that extra mile as Municipal Clerks and succeed in your responsibilities of Municipal Clerk for the benefit of our municipalities.

We are Team MCANJ! From Montague to Cape May and Alpine to Pennsville.

During 2019-2020, I am inviting you to become an active member of the team. Please consider volunteering for a committee that most interests you; Records, Legislative Updates, Membership, Peer Alliance, Education, Scholarships or Fund Raising. The committees generally meet 4 to 6 times per year and if it is a geographical hardship we also have conference calling capabilities. We welcome your ideas, insight and suggestions even if you feel you cannot commit to meetings. Please share your thoughts. Many members have retired and our committees have vacancies waiting for you.

My goals for 2019-2020 include continued conversations with Legal Games of Chance Control Commission to convert the Bingo and Raffle application from the four-page, four copies of the paper application to an electronic version. We intend to demonstrate to LGCCC that the cumbersome paper application that is snail-mailed to Newark can be much more efficient for the review and processing in an electronic format.

President Galland served us very well with OPRA and OPMA legislative issues. He developed a strong working relationship with Legislators and their staff. So for the benefit of the Association, President Galland has agreed to continue as the MCANJ representative in OPRA and OPMA discussions. Thank you President Galland.

Education with MCANJ has been my interest since Nadine first invited me to join the joint Rutgers –MCANJ Education Committee in 1998. This is one of those committees where many members have retired and vacancies exist. We are honored that Drew Pavlica, from Garfield City, agreed to chair the MCANJ Education Committee in 2019-2020. The Education Committee's goals include involvement in the education sessions for the IIMC Region II Conference to be held in Atlantic City, January 2020; involvement in the education sessions for MCANJ Education Conference in Atlantic City, April 2020; to update the newly elected officials manual created by Past President Joan Moreland; and to categorize and promote the sample Resolutions and Proclamations within our members only access to the website.



President Diane M. Pflugfelder-Liberty Township/Warren County

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Hudson:		Union:	Nicole Dirado, Union County
Hunterdon:	Michele Bobrowski, Alexandria Township	Warren:	Laurie Barton, Washington Borough
Mercer:	Debra Sopronyi, Hightstown Borough		



2019 Clerk of the Year-Pamela Borek



- This individual was nominated by a co-worker who felt the MCANJ 2019 Clerk of the Year works with leadership, dedication, commitment, honor and passion, all while delivering exceptional customer service to the residents and business community of the municipality.
- This individual holds a leadership position in the County Association and continues to propel the Clerk position through technology/process improvements/sustainable initiatives, which have improved community engagement and collaboration.
- This individual holds multiple titles within the municipality and has attended initiative/training to be a leader in high-profile positions.
- This individual supervises direct reports as well as internships. Their goal is to spearhead an intern program with other Municipal Clerks as they continue to be a role model and mentor to high school students.
- This individual handled over a thousand OPRA's in 2018.
- This individual helps to educate/assist their peers by organizing/hosting continuing training seminars for the County Association. They have been a presenter at the NJ Municipal Managers Association and the NJ League of Municipalities.
- This individual also serves the community outside of the Municipal Clerk's office by volunteering for the CERT (Community Emergency Response Team):

Municipal Alliance Program
Public Information Officer
Communications Director
Credit Card Advisory Commission and
Borough Suicide Awareness for Everyone Program

- Most recently the MCANJ 2019 Clerk of the Year received the Somerset County Government/Public/Social Service award at the Annual Outstanding Women in Somerset County awards dinner on the 29th of March in celebration of Women's History Month.



The Municipal Clerks' Association of New Jersey 2019

Clerk of the Year is:
Pamela Borek



IIMC CONFERENCE HIGHLIGHTS BIRMINGHAM, ALABAMA-THE MAGIC CITY May 20th-May 23rd



MCANJ CONFERENCE IN ATLANTIC CITY-IIMC /RUTGERS CLASS ON WORKING WITH DIFFICULT PEOPLE



Congratulations to our 2018 RMC/CMC Recipients!



October 2018 RMC's
 Jennifer Cooney
 Tami Michelotti
 Christine Ciallella
 Trina Lindsey
 Carolyn Mazzucco
 Matthew Conlon
 Dana Ploch
 Darlene Tremont
 Ben Angeli
 Jennifer Witham
 Nina Giardino-Mullin
 Robin Keggan
 Brandon Garcia
 Shari Rose
 Maria Andrews
 Geneva Griffin
 Destiny Reynolds
 Sharon Wagner
 Susan Boulogne
 Rosanne Denman
 Marcy Gianattasio
 Michele Clark
 Danielle LaValle-Mezzina
 Robin Gherbreal
 Melody Hartsgrove
 RoseMarie Leyhan



April 2018 RMC's
 Sanabele Abouzeina
 Cynthia Church
 Karen Fournier
 Marc Freda
 Magdalena Giandomencio
 Dana Gootman
 Danielle Ireland-Imhof
 Doretha Jackson
 Jennifer Jackson
 Rebecca Jones
 Michelle Ketcham
 Nadine Lockley
 Felicia McDonald
 Elizabeth Merkel
 Lorraine Messiah
 Leslie Miller
 Grace Njuguna
 Jo-Ann O'Brien
 Tara Wicker
 Adam Young
 Frank Zuber



2018 CMC Recipients (on right)

Michele Bobrowski -Township of Alexandria, Norma Carbin -Township of South Brunswick,
 Lori Dibella-Borough of Hawthorne, Barbara Ilaria-Borough of Manasquan

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PEOPLE PAGE



The People Page is an opportunity for the members of our association to celebrate each other's achievements both professionally and personally, as well as to share our condolences during times of sorrow. Additionally, when we as clerks have an opportunity to participate in community events that are afforded to us as a result of our position, it is another example of something to share on the People's Page. Please feel free to share. Send your submissions to pborek@hillsborough-nj.org, along with a picture and caption to be included in future editions of the Quill.

MERCER COUNTY



Laurie & Kim got their CMC's together! A little history, they DO EVERYTHING TOGETHER! They register for conferences together, book their rooms together, ride to the conferences together, check in together and course, got their CMC's together. *Congratulations Ladies!*

On the left - Laurie Gompf - Hopewell Township, On the right - Kim Macellaro - Ewing Township

ESSEX COUNTY

Marie E. Stopfer of West Orange passed away peacefully on May 3, 2019 with her loved ones by her side. She battled cancer valiantly and with dignity and grace. Marie was born and raised in Atlantic City, moved to Chicago, before moving to West Orange in 1945. Marie graduated from Our Lady of The Valley High School in Orange. Marie was the Municipal Clerk of the Township of West Orange from 1977 - 1990. She was President of the Essex County Municipal Clerks Association from 1977- 1978.

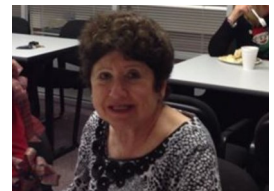
Our
Deepest
Condolences



SALEM COUNTY

At the young age of 81, Salem County Clerk Gilda Gill did not seek reelection to a 5th term and has retired. Gilda was one of Salem County's most popular Republican vote-getter and her departure set up for a hotly contested race. Salem County Clerk Gilda T. Gill has been affiliated with Salem County government since 1990 when she served as the first female Freeholder in the county. Subsequently, she accepted the position of Clerk of the Board and served until December, 1999. At that time, Gill was elected as the first female County Clerk in the county and is currently completing her third term. She began her twenty years of public service in municipal government as a Municipal Clerk and Chief Finance Officer in Penns Grove, Elsinboro, Lower Alloways Creek and Pilesgrove County. Clerk Gill currently participates as a member of the Rotary of Penns Grove; Penns Grove Carneys Point Women's Club; Marine Corps League, Salem Co Detachment; Red Hat Society; the Historical Society of Pennsgrove, Carney's Point and Oldmans Townships; and other professional organizations. County Clerk Gill attended Salem Community College and Rutgers University, Camden and is a Certified Public Manager, Certified Finance Officer and Certified Municipal Clerk. Gilda and her husband, Morgan, have three children and nine grandchildren.

Best of Luck on Your Retirement!



SOCIAL MEDIA



Like us on Facebook –Municipal Clerk's Association of NJ and visit our website at www.njclerks.org



IT'S TIME TO RENEW YOUR MCANJ MEMBERSHIP

MCANJ is now accepting New and Renewal Membership Applications for the FY2019/2020 through our online system.

Membership in the Municipal Clerk's Association of New Jersey offers an instant network to hundreds of the most professional local government officials in New Jersey and beyond.

MCANJ offers meaningful and affordable educational opportunities to its members through an Annual Education Conference, as well as webinars throughout the year. Registered Municipal Clerks can earn continuing education credits towards their certification renewal at these sessions.

MCANJ also keeps abreast of changes in Trenton and disseminates this information to its membership through its continued communications.

Municipal Clerk, the oldest of local government officials, offers camaraderie like no other; with members assisting when needed especially to non-seasoned Municipal Clerks or Municipal Clerks who may have faced a particular situation before. Municipal Clerks will undoubtedly develop new and long-lasting friendships when they join the MCANJ.

MCANJ offers the following classes of membership:

Regular Membership – Any person holding the office of Municipal Clerk, Acting Municipal Clerk, County Clerk, or Clerk of the Board of Chosen Freeholders of any municipality or county in New Jersey **(\$100 Annual Fee)**

Associate Membership – Any person holding the office of Deputy or Assistant Municipal Clerk, Deputy County Clerk, or Deputy Clerk of the Board of Chosen Freeholders **(\$75 Annual Fee)**

Affiliate Member – Any person holding any governmental or education office of employment, or any person interested in promoting the objectives of the Association who is not eligible for Regular, Associate or Honorary membership. **(\$75 Annual Fee)**

Honorary Membership – Any Regular, Associate or Affiliate Member in good standing upon retirement. **(\$0 Annual Fee)** (Honorary Members must still renew their membership online each year even though there is no annual fee. This is, so we have your most up to date contact information).

The annual membership term is from July 1st to June 30th. Registration online is simple and quick. You do not need to send your PO for our signature, as the confirmation/invoice which is generated from the system has been approved by the Local Finance Board to be acceptable for use by counties and municipalities in the State.

Visit njclerks.org to register now!

Legal Defense Fund

The Legal Defense Fund was established by the Municipal Clerks' Association to financially assist Municipal Clerks when actions have been taken against them in the performance of their duties.

With initial membership costing \$75.00, and \$25.00 annually thereafter to renew, the Legal Defense Fund could prove to be your most valuable insurance coverage. This fund exists for the protection of its members and anyone who is not currently a member, is encouraged to join. Initial membership and renewals will begin on August 1st. Please visit njclerks.org to register online. The deadline for joining is November 1st.



1st Vice President Eileen Gore-Hamilton Township/Mercer County

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President's Message from Diane M. Pflugfelder-continued

The Legislative Laws Pertaining to the Municipal Clerks committee members have the benefit of access to the GovConnect software program. Nennette Perry, East Brunswick and Kevin Harris, Esq., City of South Orange, volunteered to serve on this committee. They are looking for additional members with an interest in legislation to be a part of their team. Rest assured that MCANJ is supplying them with access to the best software and a direct hot line to Laurie Buckelew, our Legislative guru at the NJ State League of Municipalities to keep us all in the loop.

Our 2020 Education Conference will be here at the Hard Rock the week of 27 April. Several speakers have already been secured for elections, records and professional development CEUs. Our keynote speaker is a US Army Veteran traveling from Pinehurst, NC to lead us on a discussion of the positivity project and understanding communication between the different generations.

Leslie Parikh, Esq., is looking forward to attending our conference and will present us with some of the latest ethical dilemmas.

Mary Melfi, Hunterdon County Clerk, and Joanne Rajoppi, Union County Clerk, will enlighten us with the newest and greatest laws to assist us with the 2020 Presidential election.

The MCANJ Education Conference 2020 promises to be a conference like no other, so save the date now for 27 through 30 April 2020!

Members of the MCANJ. If you really don't know me yet, please don't send me an email. Be prepared. Have a full cup of coffee, at least ten minutes of time sit back and dial my office number. I'm a talker and a listener. I want to hear from you, not necessarily read from you.

We the team of MCANJ have many goals to achieve and obstacles to overcome - but we can do it together as a team!

Remember Team MCANJ "CAN"



ADMINISTRATIVE AGENCIES: WILL STANDARD OF REVIEW IMPACT MUNICIPALITIES

by

Richard A. Lustgarten, Esq.

We all learned in high school that our national government was established on the principles of separation of powers and discrete functioning of the three branches.

The Legislature enacts laws, the Executive enforces laws and the Judiciary interprets them. Most states, including New Jersey, follow this model.

Nevertheless, since around 1875, a body of law has developed that governs the process and procedures of governmental agencies.

Administrative agencies can adopt rules, adjudicate controversies and enforce specific regulatory activities. In 1982, U.S. Supreme Court Justice Stephen Breyer identified five time periods in the development of administrative law. According to him, the period of 1875-1930 led to the rise of regulation and the traditional model of administrative law; 1930-1945 was the New Deal period; 1945-1965 encompassed Administrative Procedure Acts; 1965-1985 saw a critique and transformation of the administrative process and from 1985 forward there is a trend to reconsider the administrative process and retreat from established principles.

In New Jersey, there are approximately 14 State Agencies with multiple departments in each. They are Attorney General's office (Dept of Law and Public Safety), Banking and Insurance, Children and Families, Consumer Affairs, Corrections, Education, Environmental Protection, Health, Human Services, Labor and Workforce Development, Military and Veteran Affairs, State, Transportation and Treasury.

As examples of the magnitude of these Agencies, the Department of Community Affairs contains about 10 separate divisions, Banking has 15, Environmental Protection has over 40.

Each Agency has the authority to enact Rules governing their specific subject matter. According to the New Jersey Administrative Procedure Act, a rule is generally promulgated by the agency on its own or at the request of an interested party, is published and time for public comment is established, and thereafter approved or rejected. If approved, it becomes part of the State's administrative code and has the force of law.

Now, it should be remembered that the Agencies are not part of the Legislature but rather are in or of the Executive branch. The argument against agency action is that the same body that has enacted the law has the authority to enforce it—abrogating the separation of powers doctrine. But the argument against administrative action goes further. Over the years, when administrative decisions are appealed to the courts, the courts have taken a decidedly deferential approach to review. That is to say, the standard of review has generally been that the agencies have acquired specific and detailed knowledge of their subject matter, their "expertise", and Courts are reluctant to substitute their judgment for that of the Agency so they give great weight as to how the Agency interprets its own rules. Effectively, this makes judicial appeal extremely limited and by virtue of this deference standard, the Agency enacts the rule, interprets it and adjudicates the controversies that come before it based on that interpretation. There is a growing opinion that some have espoused that this process is unfair or has usurped the traditional function of the courts to independently adjudicate a matter or both.

To demonstrate this dichotomy of reviewing standards further, let's review appeals from a local planning or zoning board and from the municipal court. (Technically, these are not agencies as two are statutory boards pursuant to the Municipal Land Use Law and the other is part of the Judiciary.) If a defendant is convicted in municipal court and appeals to the Law Division in Superior Court, the appeal is designated as a Trial De Novo on the record or simply a new trial without any additional evidence being submitted to the reviewing judge. The Superior Court Judge is not bound by the decision of the Municipal Court Judge and makes his/her independent findings of law and fact based on the record and renders the appropriate verdict. There is no deference to what the Municipal Judge decided as to facts or law.

An appeal from a local planning or zoning board to the Law Division is an entirely different matter. In this type of appeal, a court is bound to uphold the decision of the local board unless it finds that the decision is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. The court must defer to the Board's decision if it is reasonably based on the evidence in the record even if on the same evidence the court would come to a different conclusion, provided the decision doesn't violate the arbitrary-capricious-etc. standard previously referenced. In effect under this form of review, courts do not become super-planning or zoning boards.



2nd Vice President Kim Marie White-Eastampton Township/Burlington County

EMAIL: 2vicepresident@njclerks.org

**ADMINISTRATIVE AGENCIES: WILL STANDARD OF REVIEW IM-
PACT MUNICIPALITIES**

(Continued from Page 10)

By Richard A. Lustgarten, Esq.

This reviewing standard issue is not just an academic exercise. In May of this year, the U.S. Supreme Court heard arguments on just this issue. Some of the arguments in favor of keeping the rule of deference is that the agency that wrote the rule is in the best position to interpret what it means and that with deference a Court only has to find that the interpretation of the rule is reasonable not that it is the best interpretation. Opponents of the deference standard argue that it violates due process because an agency's interpretation of an ambiguous rule will only be known after adjudication and one is not put on fair notice as to what one can or cannot due. Opponents also argue that the deference standard encourages agencies to write ambiguous rules and regulations knowing courts will defer to them when they subsequently interpret them. The other major argument concerns the separation of powers referenced previously. If the deference standard is abandoned, it will be a major sea change in administrative law and will most likely filter down to the states if not constitutionally based, and mandated to the states if an underlying constitutional right is the rationale of the decision. How this all plays out on the local level remains to be seen.

I recently traveled to Florida to see friends and they had four cows in a field behind their house. They have undertaken to feed them and the cows came by everyday. Coincidentally, I saw a cartoon that had in the background an advertisement for a fast food company selling non-beef hamburgers. In the foreground were two cows talking to each other and one said "Fake Moos". Ya had to be there.

And for an introduction to summer—THOUGHTS ABOUT WORK

- You realize that a paperless office is impossible. Actually you believe it is possible, just not in your office
- Being sick is defined as can't walk or you're in the hospital
- The boss told you to have a good day so you went home

Best, Rich

MCANJ Retirement Gift

If you or someone from your County is planning on or has retired, please let your MCANJ County Representative know so that the Association can provide a retirement gift on behalf of the MCANJ. County Representatives should contact Denise Cafone Treasurer @ Treasurer@NJClarks.org. Please be sure to include the individual's name as it should appear on the engraved gift along with an address where it can be mailed. The request will take approximately 3 to 4 weeks to process, so please ensure that you provide as much advance notice as possible so that it can be presented at a retirement party or last town meeting, etc.

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A Day in the Life of a Municipal Clerk - *By Michele Lynn Seigfried*

A resident stopped in to license their new dog and was insulted that the application asked if the dog was male or female. Trying to explain that it helps Animal Control find the dog owner if the dog gets out was no help. The resident went on a tirade about why we weren't updating our forms into modern times and how we also shouldn't use the words "spayed" or "neutered," since those terms indicate female or male. I guess I could update the forms to ask if the dog is "fixed," but I'm too afraid that the word "fixed" may also be offensive, since it seems to indicate that there was something wrong with the dog in the first place. Maybe we should start using "can" or "can't" instead of "spayed" or "neutered." Can make puppies or can't make puppies.

Since I'm also the Registrar of Vital Statistics, I am well aware of the new law that was passed about birth certificates and how they can be changed to "Undesignated/Non-binary" instead of "Male" or "Female" but I was pretty certain that the new law didn't apply to pets (yet, anyway).

If you are not the Registrar in your town, you may not have seen the directive from the State Department of Health that explained the definition of Undesignated/Non-binary:

"Undesignated/Non-binary" encompasses all gender identities that are not exclusively male or female, including, but not limited to: intersex, agender, amalgagender, androgynous, bigender, demigender, genderfluid, genderqueer, neutrois, nonbinary, pangender, third sex, transsexual, Two Spirit, or otherwise unspecified.

I have to wonder if I'm the only Registrar living under a rock, because I have never heard some of these terms before. Is anyone out there as clueless as I am? I really don't have an opinion as to what people want to do with their lives or gender, I only wish I was more educated. And I feel stupid asking my questions, but I do have questions. A lot of questions. Like, can a dog be listed as one of the above? If you saw my spayed female going to town on my neutered male dog twice last week, you'd also believe that dogs can be the same as humans.

Am I legally allowed to issue a dog license without the male or female designation? And I'm still wondering how animal control would figure out by looking at our database whose dog got out without having to call each of the 100 Yorkie owners we have registered.

The law in New York includes gender X instead of U/NB. What if new residents, formerly from New York, want gender X put on their dog license? Can we do that? I certainly want to be accommodating to all residents, but is it legal? Then I'm back to the problem with what if the dog gets out? How do I know if animal control found an M, F or X?

Which brings me to my next question. What are you putting for your salutation on a business letter these days? Mr., Ms., Mrs., Miss, or X? What is the politically correct way to address a letter? I kind of like the X in this regard. Dear X Seigfried: We are writing to inform you...The only problem with this is how do I know if they are addressing me, my husband or my daughter? And does it make it sound like I'm an ex-Seigfried, like I used to be a Seigfried, and now I'm not a Seigfried anymore? I have to admit, a lot of my emails lately are starting out with "Hello" Or "Good morning" instead of writing a name. I don't want to offend anyone. How about we start using the words "Wonderful and Incredible" instead? Wouldn't you like to be called wonderful or incredible? "Dear Incredible Michele" has a nice ring to it.

I'm not the only one with questions. Our new part-time employee asked me why they listed her as a "Clerk-Typist" on the phone directory as she wasn't a clerk typist. I told her that wasn't correct. It's no longer Secretaries' Day, it's Administrative Professional's Day. And she's not a clerk. I'm a clerk. Wait...what? Should I be offended too? And what is with them still calling us "Secretaries to the Governing Body?" Welcome to New Jersey! The state where you can update your gender but not your somewhat offensive job title.

Even if we got the choice to update our job title, what would it be? If we're not secretaries, are we Administrative Professionals? That would be a mouthful - "You have reached the Municipal Administrative Professional's Office."

Let's just start calling ourselves Super Hero instead. "Hello. You have reached the Super Hero's office." Sounds like an accurate job title to me!

Like I said, I really don't have an opinion as to what people want to do with their lives, genders, pets, or job titles, I only wish I was more knowledgeable so that I can do a better job. It's good to modernize things. Give me a salutation that isn't offensive, give me a better word than spayed, neutered or fixed. Suggest a better title than Clerk. Let's remove all the offensive language, including those offensive four-letter words, like OPRA (just kidding). Change is good, right?



Treasurer Denise Cafone-Fairfield Township/Essex County

EMAIL: treasurer@njclerks.org

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STATE OF THE ASSOCIATION-IMMEDIATE PAST PRESIDENT

KEVIN GALLAND

Once again we are gathered together at our MCANJ Annual Education Conference in Atlantic City. A great opportunity to receive our continuing education credits, meet up with old friends, make new friends and share ideas to make our work lives easier and more rewarding. We have over 280 participants with us and we appreciate each and every one of you for being here.

A special thank you to our sponsors and our exhibitors for financially supporting our conference. We had twenty-eight exhibitors here yesterday, and I hope you took the opportunity to visit their tables, and perhaps win give-a-way. The exhibitor's reception last evening was well attended and much appreciated by all.

At this time I would like to thank and congratulate those individuals who have worked so hard over the past many months to bring this conference to fruition in such a splendid manner: our co-chairs Heather Mainlander (Ridgewood) and John Mitch (Woodbridge); Daina Dale (Harvey Cedars); Lori DiBella (Hawthorne); Rayna Harris (Rahway); Susan Jackson (Metuchen); Debra Sopronyi (Hightstown); Denise Szabo (Bernards); Doreen Cali (Roselle Park Retired); Diane Pflugfelder (Liberty); Eileen Gore (Hamilton); Kim-Marie White (Eastampton); Denise Cafone (Fairfield); and of course our Executive Director Joel Popkin. Also a special thank you to our retiree volunteers who assist us during the conference.

Also, we need to thank our speakers who share their knowledge and expertise without remuneration. This conference obviously would not exist without their participation and we thank them for participating.

For those of you who have not yet had the opportunity meet the Association's Attorney, permit me to introduce Mr. Thomas Prol, Esq., of the firm of Laddy, Clark & Ryan, LLP. Mr. Prol has been a great asset to the Executive Board over the past year addressing our legal matters and leading the team of speakers at our very successful Second Annual Legal Defense Fund Seminar. We thank you for being with us over the past year and look forward to your participation in the Third Annual LDF Seminar, but most importantly doing your best to keep us out of trouble.

As reported by our Treasurer Kim-Marie White, our Association and Legal Defense Fund are solvent. The claims on the Legal Defense fund have been minimal over the past several years and we do our best to run the Annual Education Conference, our primary expenditure, on a break even basis, or perhaps in the black. Of course, we are under the watchful eyes of our Auditor, Mr. Steve Weinstein and our Executive Director Joel Popkin to assure that all expenditures are accurate and most importantly appropriate.

Our membership is strong, but could be better. We have 452 Municipal and County Clerks; 191 Deputy Municipal and County Clerks; 2 Clerks of the Freeholder Boards; 18 Assistant Municipal Clerks; 20 Acting Municipal Clerks; 34 Affiliates; and 50 Retirees, for total membership of 767.

There are numerous explanations for declining numbers: municipalities sharing clerks under the expanding "Common Sense Shared Services Pilot Program Act" (Monmouth and Atlantic Counties recently added); Clerks splitting their employment with multiple municipalities outside the Pilot Program; private companies now offering courses for CEU's; and very successful county mini-conferences.

However, come July 1st of this year, there will be extensive membership drive. When renewing your membership, we need to remember that our Association runs on a fiscal year basis (July 1st to June 30th). In the past our e-blast reminder to renew only went out to the prior year's membership, which failed to reach many. This coming July, it is the intention of the Executive Board to again use the e-blast method to remind you to register your new membership for the 2019/20 fiscal year, along with post cards mailed out to each municipal clerk as a reminder. Upon receipt, please share the information with your fellow deputies, assistants, affiliates and retirees.

If you have been following my articles in the Quill regarding OPRA, you are aware that back in November at the 2018 League of Municipalities Conference Resolutions Committee, the committee approved a resolution which, '...appeals to the Legislature to set up a Commission comprised of Mayors, Municipal Clerks, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, and citizens to review and examine the effects of OPRA on local government and what needs are to be fulfilled by the law, and to use the findings of this review to perform a comprehensive reform of OPRA'. In my view, this is exactly what needs to be accomplished.

I also reported in the Quill that Assemblyman Ronald Dancer (District 12) had penned legislation, modeled from the League's resolution, also establishing a similar committee to address the many concerns of the current law.

STATE OF THE ASSOCIATION-IMMEDIATE PAST PRESIDENT

KEVIN GALLAND-CONTINUED

Well thanks to the efforts of Lori Buckelew, League's Senior Legislative Analyst, Lori and I met with Assemblyman Dancer two weeks ago to discuss his bill. First, I need to state that Assemblyman Dancer is what I refer to as a gentleman's gentleman. He was gracious, engaged and encouraged us to pursue the concepts imbedded in the League's resolution and his bill.

The only point in the Assemblyman's bill that we desired to address was the make-up of the proposed committee and the Assemblyman responded in a positive manner to our suggestions.

I also shared my list of top ten wishes with the Assemblyman, which I will get to in a moment.

Last Friday, I met with Senator Weinberg. In preparation for that meeting I solicited your help in securing data relative to the number of OPRA requests handled in the years 2017, 2018 and 2019 YTD. Data was collected from some 318 municipalities, and I thank you for your efforts in supplying same.

The tally for the 318 municipalities that responded:

2017	103,935
2018	125,062 a 20% increase year over year.
2019	YTD 38,043

Estimated 2019 based on the first quarter of the year – 153,094, a 22% increase year over year.

It was noted by many municipalities that these numbers do not include OPRA requests to their Police Departments, and of course did not include requests to the Board of Educations or County Clerks.

When you extrapolate these numbers to 565 municipalities, the numbers are overwhelming:

2017	184,664
2018	222,201
2019 projected	272,007

It is not only the projected volume of OPRA requests for 2019, it is the associated cost of processing. If the trend of 20% increases year over year continues, additional staffing and associated administrative and legal costs to handle the work load will be required. Mathematically if this 20% increase in volume continues, the numbers of requests will more than double in four short years.

As stated, I met with Senator Weinberg this past Friday. The Senator and her staff were extremely gracious and for three hours heard me out on the issues.

First, I discussed the League's resolution and Assemblyman Dancer's bill and the Association's support of same, a concept to start afresh with a clean slate.

I then shared the OPRA survey numbers with the Senator. I believe she was a little taken back on the volume and agreed this law is now being abused, and is far from serving its original intent to provide open government to the citizens of the state.

I shared what I call my top ten wish list with the Senator. We spent quite a bit of time going through that list, and for the sake of brevity here, I will only state number one:

"That Senator Weinberg post a companion bill in the Senate to that which has been introduced by Assemblyman Dancer in the Assembly".

Continued on Page 16



Immediate Past President Kevin Galland-Woodland Park Borough/Passaic County

EMAIL: ImmediatePastPresident@njclerks.org



STATE OF THE ASSOCIATION-IMMEDIATE PAST PRESIDENT

KEVIN GALLAND-CONTINUED

In summary to all of this, the Senator's reaction is what I anticipated. As always, she expressed her desire to work with the League and the Association to make her current proposed amendments better, but could not at this stage agree to the concept of forming a committee. She believes that she has worked hard with the key players and is currently proposing amendments to address their expressed concerns. It is her intention to have her amendments approved by the Senate Budget Committee.

Although the League's resolution and Assemblyman Dancer's bill provides us with some hope for change, I believe we are a long way off. I don't know if the Senator's amendments will be approved by the Budget Committee, but your Executive Board will do everything possible to document and express the interests and concerns of our membership.

I will end by saying that you are in good hands with your incoming Executive Board and your Executive Director. Congratulations to Michele Bobrowski your current Quill Editor and incoming Secretary, and thank you all for stepping up to the challenge.

Thank you! Kevin



PEOPLE PAGE-Continued

Hunterdon County:



The **Hunterdon County Clerk's Association** Quarterly Meeting on March 27, 2019 in the Town of Clinton. Hunterdon County Clerk Mary Melfi was the guest speaker.



Franklin Township welcomes Christine Burke as the new Municipal Clerk. Christine was previously employed by Franklin Township Somerset County and is slowly adjusting to life in the country.

Hampton Boro welcomes Linda Leidner as the Municipal Clerk. Linda was the Deputy Clerk prior to leaving for Blairstown. Welcome back to Hunterdon County Linda!



Congratulations Cathy Drummond-Hampton Boro Clerk on your retirement!!

Passaic County:

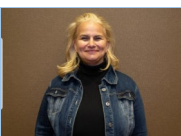
Barbara Padula who served as deputy municipal clerk of Pompton Lakes for sixteen years until her retirement in 2017, passed away on February 15. She was 72 .



Ocean County:



Congratulations to Maryanne Capasso who has been appointed as the Township Clerk for Lakehurst Borough!



Secretary Michele Bobrowski-Alexandria Township/Hunterdon County

EMAIL: secretary@njclerks.org



Municipal Clerks' Association of New Jersey
Education Conference Re-Cap
Hard Rock Casino and Hotel-Atlantic City
April 29th-May 2nd



Reminder-Don't forget to renew your 2019/2020 MCANJ Membership at njclerks.org



Municipal Clerks' Association of New Jersey
Education Conference Re-Cap
Hard Rock Casino and Hotel-Atlantic City
April 29th-May 2nd





Executive Director Joel Popkin-Email: executivedirector@njclerks.org

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To Apply

Applications are accepted on a rolling basis and must be sent to the New Jersey Civil Service Commission for approval. Download an application at www.state.nj.us/csc/employees/training/classroom/cpm.html or www.spaa.Newark.Rutgers.edu/cpm

For Application Information/Questions

NJ CSC:

Tira McCants

State CPM Coordinator

NJCPM@csc.nj.gov

cpmspaa@newark.rutgers.edu

609-777-1599

Fall 2019 Locations

Egg Harbor Township, Newark, Freehold

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DEADLINES FOR NEWSLETTER ITEMS

The deadline for People Page submissions for the October 2019 issue is September 3, 2019. Please send People Page news to:

Pam Borek, Municipal Clerk, Hillsborough Twp.,
379 South Branch Road. Hillsborough, NJ 08844
or via Email at pborek@hillsborough-nj.org

The General News Articles deadline is September 10, 2019, and may be sent to:

Michele Bobrowski, Alexandria Township. 242 Little York-Mt. Pleasant Rd. Milford, NJ 08848 or via email to:

clerk@alexandrianj.gov

Questions or comments regarding this or any issue of *The Quill* may be directed to the

Editor, Michele Bobrowski,

by calling (908) 996-7071 ext. 210 or using the contact information shown above.

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