

**MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.**

***PRESIDENT'S MESSAGE by Joan Moreland, 2009 President***

Well, I'm finally rested up from a great conference! I hope those of you who attended took advantage of the many CEUs being offered thanks to Diane Pflugfelder and her committee. The vendors offered very nice door prizes and we can thank Vincent Buttiglieri for his efforts in getting the vendors arranged in quick and orderly fashion. Joanne Kwasniewski was running around assuring that all name plates for the speakers were in place. Heather Mailander was seen scanning badges at many of the classes. Kathy Wisniewski, Rose Marie Saracino, Jean Kuc and Kathy Leonard (retiree) all were selling shirts, sweaters, flash drives and merchandise from last year at a record pace thanks to Doreen Cali.

I saw Bill Hawk taking inventory and packing up the few items which were not sold. Our Treasurer Drew Pavlica paid the bills – an important part of the conference! The booth looked great thanks to Barbara Rae and her committee. Thanks to Bette Mastropasqua for her many hours of work on the program and meal tickets. Al Reda and his retired group of Clerks (Joe Valenti, Barbara Camp, Joe Favaro, Tina Fiorellino and Terry Tighe) handled all registrations and walk-ins, and answered questions when people didn't know where to go! Deanna Bennett has the evaluations and the Committee will review them carefully.



Our Administrative Consultant Manuel Hirshblond was always standing guard, making sure we had everything we needed, from the meals to another table for the Silent Auction. I would be remiss if I did not mention Ford Phifer from the Tropicana. He made sure everything was the way we wanted it and made himself available to Manny and me every day. Past President Barbara Hawk and her husband Bill were always available to me with an offer to do whatever needed to be done. Members of the Executive Board and Past Presidents were successful in getting sponsors for various meal functions. Everyone involved, did a wonderful job and I certainly appreciate their efforts.

With approximately 300 people in attendance, the conference was a success thanks to the many committees who put their best efforts in place! Last, but certainly not least, I would like to thank Elaine Kennedy and Joel Popkin for assuring me that all would be okay when I was getting nervous! As Co-Chairs of the 2009 Education Conference, they made sure that everything Clerks needed to enhance their position was available. Thanks to Joel for filling in at the last minute for a teacher who was injured and unable to attend. I received 15.5 CEUs and enjoyed all of the Clerks who spoke as well as the professionals.

I, along with 1<sup>st</sup> Vice President Vincent Buttiglieri, will now begin working on programs for the NJ League of Municipalities Conference as well as the agenda for our Annual Meeting. On November 18th, breakfast will be served 8:00am – 9:30am, and the meeting will begin promptly at 9:00am. You will be able to purchase a ticket from your County Advisory Board Member. Be on the lookout for 50/50 ticket sales as you enter the Royal Swan Ballroom at the Tropicana and be sure to have a business card handy to drop in the bowl for a chance at a scholarship for next year's conference as well as CMC and MMC classes.

On another topic, if any of you are experiencing furloughs, layoffs or reduced hours in your position as Clerk, please e-mail me at [jon6073@aol.com](mailto:jon6073@aol.com). Our Attorney, Richard Lustgarten, has asked me to keep track of all the Clerks experiencing these problems for *possible* future legal action.

As always, feel free to contact me at the office during the day or via email. MCANJ is YOUR association and the Executive Board strives to provide the type of Association you can be proud of!

Have a great summer!  
Joan D. Moreland  
President

Jim Doherty, Editor  
973.875.7192 e-mail: administrator@wantagetwp-nj.org

PAST EDITORS:

J. Ford Flagg, 1954-1959      John R. Zellwenger, 1960-1970  
Joseph E. Bennett, 1971-1973      Harry C. Kates, 1974-1982  
Janet L. Lynds, 1983-1993

Patricia Hullfish and Patricia Shuss, Co-Editors, 1994-1995  
Patricia C. Shuss, 1996-2000      Nancy Hatten, 2001-2005

Contributing Editors:

Advertising: L. Manuel Hirshblond, Toms River 732.349.1348  
People: Sharon Brienza, Branchburg Twp., 908.526.1300

MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.  
EXECUTIVE BOARD 2009

President: Joan Moreland, Haddon Heights Borough  
E-mail: Jmoreland@haddonheightsboro.org

First Vice President: Vincent Buttiglieri, Ocean Township  
E-mail: vbuttiglieri@oceantwp.org

Second Vice President: Joanne M. Kwasniewski, Fair Lawn Borough  
E-mail: munclerk@fairlawn.org

Treasurer: Drew Pavlica, Garfield City  
E-mail: garfieldclerk@optonline.net

Secretary: Nancy L. Saffos, Cherry Hill Township  
E-mail: NSaffos@chtownship.com

Immediate Past President: Heather A. Mailander, Ridgewood Village  
E-mail: hmailander@ridgewoodnj.net

Administrative Consultant: L. Manuel Hirshblond

Legal Counsel: Richard A. Lustgarten

PAST PRESIDENTS \* EX OFFICIO MEMBERS

1974*Joseph V. Valenti	1997*Elizabeth H. Kiss
1975*Alfred A. Reda	1998*Lynn Stanzlaus
1977*Otto M. Bock	1999*Bernadette Dubuss
1981*L. Manuel Hirshblond	2000*Nancy Hatten
1985*Elizabeth G. Nolan	2001*Sharon L. Brienza
1987*Lewis N. Thompson	2002*Bernadette Standowski
1988*Elaine Wallace	2003*Allan Susen
1992*Barbara A. Camp	2004*Joel Popkin
1993*John J. Galvin	2005*Jane Williams-Warren
1994*Kathleen A. Thorpe	2006*Elaine B. Kennedy
1995*Christina N. Wilder	2007*Barbara M. Hawk
1996*Joseph C. Favaro	2008*Heather Mailander

ADVISORY BOARD MEMBERS

Atlantic:	Gail Macera, Folsom Borough
Bergen:	Nancy Hatten, Tenafly Borough
Burlington:	Patricia L. Hunt, Moorestown Township
Camden:	Deanna Speck, Haddonfield Borough
Cape May:	Wanda Gaglione, Upper Township
Cumberland:	Susan G. Robostello, Millville City
Essex:	Linda Wanat, Montclair Township
Gloucester:	Debora Pine, Elk Township
Hudson:	Robert Byrne, Jersey City
Hunterdon:	Cecilia Covino, Town of Clinton
Mercer:	Sharon Young, West Windsor Township
Middlesex:	John Mitch, Woodbridge Township
Monmouth:	Barbara L. Bascom, Upper Freehold Township
Morris:	Sheila Seifert, Rockaway Township
Ocean:	Bette Mastropasqua, Beachwood Borough
Passaic:	Jane Williams-Warren, Paterson City
Salem:	Maureen Abdill, Pilesgrove Township
Somerset:	Ann Marie McCarthy, Franklin Township
Sussex:	Lorraine Stark, Hopatcong Borough
Union:	Kathleen Wisniewski, Springfield Township
Warren:	Teresa DeMont, Belvidere Town

**INSIDE THIS ISSUE OF THE *QUILL*:**

- PAGE 1:      President's Message
- PAGE 2:      Roster and Updates
- PAGE 3:      MCANJ 2010 Committees - A  
Call for Volunteers
- PAGE 4:      MCANJ 2009 Scholarship  
Application Form
- PAGE 5:      Room Reservation Form, the  
Tropicana Casino and Resort, in  
Atlantic City, for the League of  
Municipalities Conference,  
November 17—19, 2009
- PAGE 6-7:    People Page: See Who's Re-  
tired!
- PAGE 8:      Spotlight On: Gloucester County
- PAGE 9:      MCANJ Attorney Report
- PAGE 10:     Census 2010: A Partnership To  
Success
- PAGE 11:     Spotlight On: Essex County
- PAGE 12:     Update on League of Municipalities  
Convention in November

**MCANJ RECORDS COMMITTEE**

**The 2009 Records Committee is:**

John Mitch, Chair, Woodbridge Twp./732-602-6007  
Harold Weiner, Irvington Twp./973-372-6048  
Heidi Abs, Middletown Twp./732-615-2000  
Denise Szabo, Bernards Twp./908-204-3014  
Jeffrey Jotz, Rahway City/732-827-2100

## MCANJ 2010 Committees - A Call for Volunteers

As President of our Association next year, I would like to invite you to take an active part in the MCANJ by volunteering your time and talents to serve on one of our Committees. I urge you not to sit idly by and let others do the work. MCANJ needs you. I can assure you that it will be one of the most rewarding experiences of your professional career. Only with your involvement can we address the present and future needs of our organization. I hope you will join me by completing the form below and returning it to me via mail, fax or email by September 1, 2009. If you have any questions, suggestions or comments, please call me at (732) 531-4968. I am looking forward to working with all of you in 2010 and thank you for your participation.

Vincent Buttiglieri, 2009 First Vice President

**Constitution & Bylaws:**

Reviews and recommends amendments to the Association's Constitution and Bylaws, with the purpose of enacting sound and fair rules of our organization.

**Education:**

Develops educational programs, reviews the certification and recertification programs and provides for seminars and conferences.

**Elections:**

Examines and evaluates the statutory requirements governing elections in municipalities.

**Education Conference:**

Plans and implements an informative and rewarding program.

**Fund Raising:**

Plans and implements fund raising efforts for the benefit of MCANJ and the Legal Defense Fund.

**Information Technology**

Prepares, provides and reviews information shown on the MCANJ web page. Provides the Executive Board with other means of technology useful to the Municipal Clerk.

**Legal Defense Fund:**

Reviews applications of Fund members for legal assistance and promotes Fund membership.

**Legislative:**

Reviews and monitors all proposed legislation which may affect the Municipal Clerk or our municipalities.

**Legislative Committee for Laws Pertaining to Municipal Clerks:**

In conjunction with the Legislative Committee, monitor and review all proposed legislation that may directly affect the Municipal Clerks' profession.

**Manual Review:**

Provides the annual updates of the Study Guide and Desk Reference manuals in conjunction with the Education Committee and Rutgers University.

**Membership (North and South):**

Strives for 100% membership in MCANJ. Assists the Peer Alliance for Learning Committee (PAL) with notification of "new" Municipal Clerks.

**Peer Alliance for Learning (PAL)**

Identifies new Municipal Clerks and teams them with participating experienced Municipal Clerks who share their knowledge and assistance when needed.

**Professional Development:**

Develops programs and seminars that address the managerial skills needed by today's Municipal Clerks.

**Public Relations:**

Functions as the official Welcome Committee for our members and guests during conferences and other sponsored events. Organizes and manages the MCANJ booth at the Spring Education Conference and the League of Municipalities Conference.

**Quill:**

Provides a comprehensive professional publication for quarterly distribution to Association members.

**Records:**

Reviews pertinent decisions of the Government Records Council regarding the Municipal Clerk's responsibility in complying with the Open Public Records Act.

**Resolutions:**

Presents Resolutions recognizing retired and deceased Municipal Clerks at the annual meeting at the League of Municipalities Conference.

**Scholarship:**

Advertises the availability of scholarships available, reviews applications and selects candidates to receive financial assistance.

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

Municipality/Address \_\_\_\_\_

Phone \_\_\_\_\_ FAX \_\_\_\_\_

I would like to serve on the following MCANJ Committee(s) during 2010:

1<sup>st</sup> Choice \_\_\_\_\_

2<sup>nd</sup> Choice \_\_\_\_\_

3<sup>rd</sup> Choice \_\_\_\_\_

**Deadline: Please return by September 1, 2009 to:** Vincent Buttiglieri, MCANJ 1st VP  
Municipal Clerk  
399 Monmouth Road  
Oakhurst, NJ 07755  
OR Fax to: (732) 531-5286  
OR E-mail to: vbuttiglieri@oceantwp.org

The Municipal Clerks' Association of New Jersey will once again be offering scholarships for continuing education opportunities. Municipal Clerks, Deputies and Assistants continuing their education in pursuit of RMC, CMC and MMC certifications are eligible. Candidates for all scholarships MUST be members of the Municipal Clerks' Association of New Jersey. CMC and MMC Scholarship applicants must be tenured Municipal Clerks. Scholarships shall be awarded at the Annual Meeting of the Municipal Clerks' Association of New Jersey on Wednesday, November 18, 2009 during the League of Municipalities Conference in Atlantic City: Four (4) RMC Scholarships; One (1) Peter H. Maclearie CMC Scholarship (Includes registration and 1 night's hotel accommodation); One (1) MMC Scholarship (Includes registration and 1 night's hotel accommodation). Completed applications should be mailed directly to: MCANJ SCHOLARSHIP COMMITTEE, c/o Bonnie Leonetti, RMC/CMC, Long Beach Township, 6805 Long Beach Boulevard, Brant Beach, NJ 08008-3661. APPLICATION DEADLINE IS SEPTEMBER 1, 2009. You are encouraged to take advantage of this scholarship program offered to you by your Association. Please complete this application page (or a photocopy of it) and submit it as instructed. Should you have any questions, please contact Bonnie Leonetti at 609-361-1000, ext. 218.



**MCANJ 2009 SCHOLARSHIP APPLICATION FORM**

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

Municipality \_\_\_\_\_

Address \_\_\_\_\_

Date of Appointment as Municipal Clerk \_\_\_\_\_ Deputy/Assistant \_\_\_\_\_

Check One:     MCANJ Dues are paid by municipality                       MCANJ Dues are paid by member

**I am applying for the:**

- RMC Scholarship – cost of one (1) course
- CMC Scholarship [tenure date \_\_\_\_\_] – for tuition to CMC program by Rutgers University and one (1) night's hotel accommodation.
- MMC Scholarship [tenure date \_\_\_\_\_] – for tuition to MMC program by Rutgers University and one (1) night's hotel accommodation.

List RMC, CMC and MMC educational courses taken and indicate whether the municipality or you paid for the course.

Reminder: All applicants must be members of the Municipal Clerks' Association of NJ, Inc.

Applicants for the CMC and MMC Scholarships must be tenured.

Use a separate sheet of paper for a short statement as to why you feel this scholarship should be awarded to you and attach it to your application.

CODED  
SYSTEMS  
ADVERTISEMENT

## ROOM RESERVATION FORM

### Tropicana Casino and Resort, Atlantic City, NJ

2009 League of Municipalities Conference, November 17—19, 2009

This year, there is a block of 30 rooms available to our Association in the Havana section at the rate of \$141 per night (plus \$5 occupancy fee, \$6 shuttle fee & \$1 phone fee), and a block of 30 rooms in the rest of the hotel at \$111 per night (plus \$5 occupancy fee, \$6 shuttle fee & \$1 phone fee). If you do not pay by voucher, add the cost of the State sales tax of 13%. These rooms are available on a first-come, first served basis. Any room not reserved by September 11, 2009 will revert back to the League for its use.

League Policy Regarding Cancellations: Anyone canceling a reservation after November 5, 2009, will be responsible for the entire cost of the room. The Municipal Clerks' Association will not be responsible for the cost of any cancelled room. Please remember: If you make your room reservation through the MCANJ, you must cancel through MCANJ, not the hotel directly.

Please Print or Type:

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

Municipality: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_

Enclosed: Personal Check # \_\_\_\_\_ (or) Voucher # \_\_\_\_\_

I will be arriving on November \_\_\_\_\_, 2009 and departing on November \_\_\_\_\_, 2009.

Make payable to Tropicana Casino and Resort in the amount of \$ \_\_\_\_\_ for one (1) night's deposit.

HAVANA SECTION \_\_\_\_\_ OTHER \_\_\_\_\_

My reservation will be for three (3) nights at Tropicana Casino and Resort and I acknowledge that I am responsible for the full three (3) nights' accommodation and will honor the cancellation policy of notifying 2nd Vice President Joanne Kwasniewski no later than November 5, 2009. I further accept that cancellations made after this deadline date will require my payment of all cancelled room night costs.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title/MCANJ Position

Return by September 4, 2009 to:

Joanne Kwasniewski, 2nd Vice President

Fair Lawn Borough (Bergen)

Address: 8-01 Fair Lawn Avenue, Fair Lawn, NJ 07410

E-mail: [manager@fairlawn.org](mailto:manager@fairlawn.org)

Phone: (201) 794-5310

Fax: (201) 794-9859

**Reminder: Tickets for the Wednesday, November 18, 2009 MCANJ BREAKFAST are available through your County Advisory Board Representative. NO TICKETS WILL BE SOLD AT THE DOOR.**

# PEOPLE PAGE *by Sharon Brienza*

## Essex County

The Essex County Municipal Clerks Association reorganized at their January meeting installing the following officers:  
President: Evelyn Ostella, Deputy Clerk (Montclair)  
Vice President: Mary E. Docherty, Deputy Clerk (Belleville)  
Secretary: Jean E. McEnroe, Municipal Clerk (Verona)  
Treasurer: Lynn M. Cucciniello, Acting Clerk (South Orange)

## Somerset County

During the Somerset County Freeholder's meeting, Director Rich Fontana presented a proclamation declaring May 3-9, 2009, Municipal Clerk's Week to Donna Godleski, President of the Somerset County Municipal Clerk's Association.



## CONGRATULATIONS

### MMC

To Kathrine Coletta, Municipal Clerk from Mahwah (Bergen County) who earned the prestigious Master Municipal Clerk (MMC) designation from the International Institute of Municipal Clerks (IIMC) in November.

### CMC

To Dina L. Zawadski, Municipal Clerk from Township of Deptford who has earned the Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC) in March.

The IIMC programs are designed to enhance the job performance and prepares participants to meet the challenges of the complex role of the municipal clerk. For more information about the IIMC and the CMC program please visit the IIMC website at [www.iimc.com](http://www.iimc.com) or contact via E-mail at [hq@iimc.com](mailto:hq@iimc.com), or by telephone at 909-944-4162.

## WEDDING BELLS

Michele Auletta, Municipal Clerk of Robbinsville Township (Mercer County) was engaged to Mick Seigfried on March 1, 2009. A September wedding is planned.

Linda DeSantis, Municipal Clerk of Mount Arlington Borough (Morris County), whose youngest daughter was married at the end of May. It was Linda's first time as the "Mother of the Bride!"

Congratulations to everyone!!

## RETIREES

Louanne Cular will be retiring from Frankford Township (Sussex County) as of August 1. She has been the Municipal Clerk in Frankford for the last 8 years. Prior to Frankford, Louanne worked in Montague Township for 15 years and Hardyston Township for 8 years.

Ellen Kluber, Municipal Clerk of Alexandria Township (Hunterdon County), will be retiring on August 31, 2009. Alexandria is the last town in New Jersey that does not have a municipal building so Ellen's office is in a room in her home. Municipal records are stored on shelves and in boxes in her basement. She was already working out of her home as the secretary for the Planning Board and Board of Adjustment so there was never a question she would be working out of her home when she took over the responsibilities of Municipal Clerk. Ellen's husband is also retired and she looks forward to doing what she wants, when she wants!

Even though Bernadette Standowski was congratulated on her retirement in the last People Page, due to publication deadlines information and pictures from her party were not available. Bernadette was honored on Monday, January 26 for her 34 years of service to Lakewood Township, 29 of which were as Municipal Clerk.

Congratulations to all of our retirees and best wishes in all of your future endeavors.



*President Joan Moreland and members of the Executive Board make a presentation to Bernadette*

## WELCOME NEW MUNICIPAL CLERKS

Kelly Cupit was appointed as Municipal Clerk/Administrator in Green Brook (Somerset County).

*(Continued on page 7)*

## PEOPLE PAGE, continued

### TRANSITIONS

Karen Carnevale, Deputy Municipal Clerk in Livingston was recently appointed Municipal Clerk in West Orange (Essex County).

Richard Phoenix was recently appointed to the position of Municipal Clerk for the Borough of North Plainfield (Somerset County) after serving as Deputy for 15 years. Rich known as "The Voice" in local circles, spent 15 years in radio networking. Rich also volunteers for many community events including acting as master of ceremonies to recording announcements for the local emergency broadcasting system.

Congratulations to all!

### CONDOLENCES

Jim O'Keefe passed away on March 12, 2009 after a short illness. Jim was the Municipal Clerk of the Township of Morris for 37 years, retiring in 2000. He was President of the NJ Municipal Clerk's Association in 1983 and received the Clerk of the Year award in 1985. He helped establish the certification program for Registered Municipal Clerks for the State of NJ which resulted in the advancement of professionalism of the role of Municipal Clerk.

Expressions of sympathy and memories may be sent to Betty O'Keefe, 31 Fairchild Avenue, Morris Plains, NJ 07950

\* \*

Virginia Michel, retired Borough Clerk of Haworth (Bergen County) passed away on March 14, 2009. Virginia was 87 and resided in North Redington Beach, FL. Virginia was appointed Borough Clerk in December 1952, seven months after her husband, Gaston, joined the two-man police force. By the time the couple jointly retired on May 1, 1985, Gaston was police chief and Virginia had added the title of Borough Administrator. Gaston passed away in 2003; Virginia's ashes were interred beside her husband.

Our condolences to all.

### ANNUAL IIMC CONFERENCE

The Annual IIMC Conference was held in Chicago, IL and in addition to the many educational opportunities, New Jersey's contingent had some fun, too!



*Gary Sinise (CSI: NY) and his Lt. Dan Band performed for the attendees at the IIMC All Conference Event. This picture was taken by Sharon Brienza who was on stage with about 20 other attendees shakin' it up to "Lady Marmalade."*



*Most of the NJ group at the IIMC Conference at Millenium Park in Chicago during the IIMC Conference. Front row, left to right: Kathy Norcia, Drew Pavlica, Eileen Gore, Yancy Wazirmas and Joanne Kwasniewski. Back row, left to right: Vinny Buttiglieri, Nancy Saffos, Allan Susen and Sharon Brienza*

## JOIN THE INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS

Founded in 1947, the International Institute of Municipal Clerks is the leading professional association serving the needs of Municipal Clerks, Secretaries, Treasurers and Recorders and other allied associations from cities and towns worldwide. IIMC's primary goal is to actively promote the continuing education and professional development of Municipal Clerks through extensive education programs, certification, publications, networking, annual conferences and research. As an educational catalyst, IIMC inspires Clerks to expand and advance beyond their present levels of development. IIMC also engages in municipal research administration, enhances critical professional skill development and fosters a spirit of mutual assistance and good fellowship among Municipal Clerks around the globe. Its 10,000 plus members represent municipalities of 250 to more than 10 million people in North America and 15 other countries. IIMC is governed by a 26-member board of Directors with 22 Directors from IIMC's 11 regions.

For more information and directions on how to join the IIMC, visit their website at [www.iimc.com](http://www.iimc.com)

# SPOTLIGHT ON: GLOUCESTER COUNTY

## 21 Stories of Our Garden State; 21 Stories to say "We're Great"

Gloucester County began its existence on May 28, 1686 with a meeting of its proprietors, freeholders and inhabitants who formally decided to organize a government and to establish a "Constitution of Gloucester County." In 1692 the legislature formally recognized the existence of Gloucester County as a separate entity. The County is the only one in the State, and is among few in the entire United States, which originated directly in action of its own freeholders and inhabitants -- it was not created by the provisional government of West Jersey.

The County seat was at the City of Gloucester until it moved to Woodbury during or about the time of the Revolutionary War. The first court was held in Hugg's Tavern in Gloucester. Betsy Ross was later married in that Tavern. The building stood in Gloucester County until about 1933. Gloucester County for many years extended entirely across the State and included all of Atlantic County and all of Camden County. The territory now in Atlantic County was not separated from Gloucester County until 1837 which was 151 years after the founding of Gloucester County. Camden County was not created until 1844.

Today, Gloucester County is proud to work everyday to provide its 263,000 residents with outstanding services that touch almost everyone in the community. We rise to meet the challenge of offering advanced health, public safety, library, education, veterans, recreation, business and environmental services at the lowest possible cost to our taxpayers. From maintaining 401 miles of roadway to providing essential health and wellness programs to all of our citizens, Gloucester County has something for everyone. Our outstanding parks and recreation programs provide fun for all ages, while our Clerk's Office specializes in Passports, ID's and licenses.

The municipalities of Gloucester County are: Borough of Clayton, Township of Deptford, Township of East Greenwich, Township of Elk, Township of Franklin, Borough of Glassboro, Township of Greenwich, Township of Harrison, Township of Logan, Township of Mantua, Township of Monroe, Borough of National Park, Borough of Newfield, Borough of Paulsboro, Borough of Pitman, Township of South Harrison, Borough of Swedesboro, Township of Washington, Borough of Wenonah, Township of West Deptford, Borough of Westville, City of Woodbury, Borough of Woodbury Heights, Township of Woolwich.

Gloucester County's location puts it in the perfect spot to experience other great destinations in the Northeast. From the waves and rolling beaches of the Jersey Shore to the bright lights of Atlantic City, Philadelphia and New York, there is much to discover and do in and around the county. We invite you to take full advantage of the myriad of services we offer you and your family and enjoy life in Gloucester County.

GENERAL  
CODE  
PUBLISHERS  
ADVERTISE-  
MENT

The Pitman Golf Course specializes in all types of golfing opportunities including open daily golf, tournaments, outings, organized associations (men's, women's, senior, junior) and much more. The Pitman golf course is also always rated highly in the areas of conditions, service and pace of play. Golfers will find staff members who enjoy developing and upholding a "golfer friendly" attitude and you are welcome to visit the course whether it's your first time here or it's your 62nd round of the year at Pitman.

Efforts are on going to expand the County and municipal park system in Gloucester County. The County's Open Space program has procured expansions to Red Bank Battlefield in National Park, the James G. Atkinson Memorial Park in Washington Township, Scotland Run Park in Clayton and Franklin Townships and four additions of lands adjacent to the County Golf Course in Mantua Township. We are currently working on additional expansions at Scotland Run and the County Golf Course Greenway. The County also assists municipalities in the purchase of recreational lands through this program. Funds can be used to buy new parks, expand old ones or develop greenways. Through this program Gloucester County has assisted many municipalities preserve thousands of acres for their residents' recreational needs.

All information in this article is taken from the websites <http://www.co.gloucester.nj.us/> and <http://www.nj.searchroots.com/Gloucesterco/>



# MORE OPRA

By Richard Lustgarten, MCANJ Legal Counsel

N.J.S.A. 47: 1A-5 (g) states that “a request for access to a government record shall be in writing and hand delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian.” (Emphasis Supplied)

N.J.S.A. 47: 1A-5 (f) (i) states “the custodian of a public agency shall adopt a form for the use of any person who requests access to a government record held or controlled by the public agency.” This subsection also provides that the form shall include “specific directions and procedures for requesting a record.”

Query: Can a custodian of public records refuse to accept a request that is transmitted by fax? May a custodian of records refuse to honor a request if the request is not presented on the official form?

If you answered yes to the first question and no to the second you are correct. On May 21, 2009 one panel of the Appellate Division, in the case of Paff vs. East Orange (Docket No.: A-4280-07T2), decided that the custodian has the right to refuse to accept requests that are transmitted by fax.

A different panel on the same date, in the case of Renna vs. County of Union (Docket No.: A-0821-07T2), decided that while the request for OPRA records should be made on the appropriate form no request for information should be rejected if the form is not used, provided that the request contains the requisite information prescribed in the statute. In the Renna case the Appellate Division said that its conclusion was not contradictory. This statement is rather confusing since on the one hand the Court said that the form should be used, but then on the other hand a request cannot be rejected even if the form is not used but the appropriate information is transmitted. One can easily conclude that a knowledgeable requestor will not bother to get the form if they know what information must be provided.

Ultimately the underpinning of this decision is really one of substance rather than process. The statutes and the cases relating to OPRA all have a commitment to openness and transparency in governmental actions and activities. From that premise, the Appellate Division decision makes sense.

The decision in Paff requires a little more discussion. As set forth above, the request can be made in several different ways one of which is that the request can be “transmitted electronically.” In modern day usage this would include a fax request. The case emanated as an appeal from the Government Records Council from a denial by East Orange to honor the fax. Upon advice by its Executive Director the GRC decided that East Orange could refuse a request by fax. Its Executive Director’s reasoning was that not all governmental agencies have a dedicated line for a fax and therefore cannot accept fax requests. The opinion is void of any actual count as to how many municipalities do not have fax machines or a dedicated fax machine for the Custodian of Records. In any event, the Appellate Division deferred to the interpretation that the GRC gave to its implementing statutes.

The Court relied on the language that the record custodian can adopt a form which includes specific directions and procedures for requesting a record.

Instead of resting on the plain language of the statute that states that a request may be “transmitted electronically,” the Court indicated that the “procedures for requesting a record” language authorized a custodian of records to direct that a request for a government record must be transmitted only by methods specified in the form, which need not include every method of transmission mentioned in the statute.

In my opinion the Court applied an unusual statutory construction. Generally courts have indicated that words in statutes have meaning and should not be ignored unless a literal reading of them leads to an absurd result. Indicating that the custodian’s authority to determine methods of transmittal is paramount renders the statutory language of “transmitted electronically” meaningless, at least as to faxes (which we know are electronic). The Court could have given meaning to include faxes in the phrase “transmitted electronically” and interpreted the “procedures for requesting a record” as any procedure that was not inconsistent with the specific statutory mandate.

Unless overruled by the Supreme Court if there is any appeal, for your guidance remember the following:

1. Use a form for an OPRA request but if the request comes in a different format but contains all of the essential information required, that request should be honored by general OPRA principles.
2. You don’t have to accept a fax request.



RICHARD A. LUSTGARTEN

**CENSUS 2010:  
A PARTNERSHIP TO SUCCESS**

JOSE M. AGUILING, Partnership Specialist,  
New York Regional Census Center,  
U.S. Census Bureau - 2010 Census

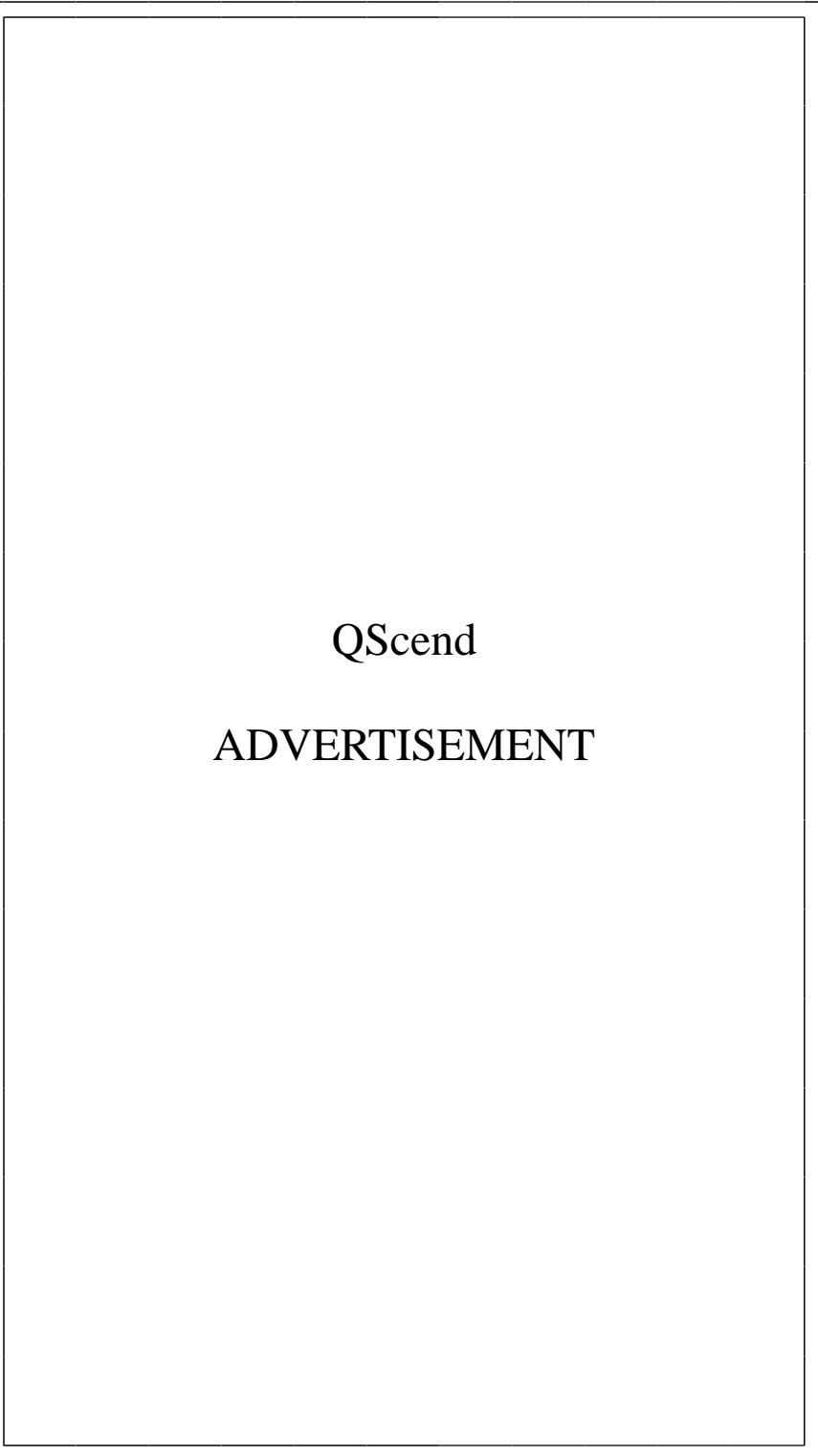
Every year, more than \$300 billion in federal funds are awarded to states and communities based on census data. That's more than \$3 trillion distributed over a 10-year period. Census data also guide local decision-makers in important community planning efforts, including where to build new roads, hospitals and schools. And, Census data affect your voice in Congress. The census determines how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts.

These are the benefits to be realized from the 2010 Federal Decennial Census. The support of the Municipal Clerks' Association of New Jersey will help guarantee the success of this monumental event and ensure no one is left uncounted. As partners, achieving a complete and accurate 2010 Census is in our hands.

Partner with us! The 2010 Census is roughly less than a year away. Learn why we need your participation for a complete and accurate count. "2010 Census: News That Counts" is an e-newsletter for 2010 Census partners. The U.S. Census Bureau wants to keep you informed about the 2010 Census, with news and information that relates specifically to you as a partner. We will also provide you with tools and tips you can use to encourage 2010 Census participation within your community.

We will provide you with tools you can use: Free, customizable materials are available to 2010 Census partners.

JOSE M. AGUILING,  
Partnership Specialist,  
New York Regional Census Center,  
email: [jose.aguiling@census.gov](mailto:jose.aguiling@census.gov)  
Direct: 908-361-2183  
Fax: 212-971-8991



**QScend  
ADVERTISEMENT**

To read the first E-Newsletter for the 2010 Census, go to:

[http://weber10.ws-wr.com/Census2010/partners\\_nl/09/Issue1/index.html](http://weber10.ws-wr.com/Census2010/partners_nl/09/Issue1/index.html)

# SPOTLIGHT ON: ESSEX COUNTY

## 21 Stories of Our Garden State; 21 Stories to say “We’re Great”

Submitted by Anthony Puglisi, Public Information Director, Essex County

Essex County, the second most densely populated county in New Jersey with 800,000 residents in 22 municipalities, is well known for its diversity of neighborhoods, heritage and history. Full of energy and culture, Essex is home to museums, theaters, restaurants, musicians and art galleries ~ it is a wonderful place for businesses to grow and families to flourish. Our historic Essex County Park System, created in 1895, the first county park system developed in the United States, is listed on the National and State Registers of Historic Places. More than 6,000 acres are dedicated to recreational attractions at 18 parks, five reservations, an environmental center, a zoo, ice skating rink, roller skating rink, three public golf courses, golf driving range, three off-leash dog facilities and a castle.

Rolling meadows, tree-lined paths and breathtaking views of New York City and the surrounding countryside abound, as Essex sits at the foot of First Mountain, part of the Watchung Mountains. Each April, Branch Brook Park, designed by Frederick Law Olmstead, comes to life with its breathtaking collection of more than 4,000 cherry trees in 14 different varieties, enchanting thousands of guests from across the world. A 10k Run, bike race, and a craft and nature fest enhance the experience. At Eagle Rock Reservation, where a newly installed gazebo will make a stunning backdrop for weddings, visitors study the New York skyline while honoring those who lost their lives in the September 11, 2001 attacks.

A major County attraction is our South Mountain Recreation Complex, which includes Turtle Back Zoo, the Richard J. Codey Arena and South Mountain Reservation, a 2,000-acre preserve of stunning vistas and miles of hiking trails. During the last six years, both the Arena and Zoo have undergone complete transformations, and are destinations for education and recreation activities. New exhibits at Turtle Back feature animals in their natural habitats. The North America exhibit features eagles, bobcats and porcupines and an Asia exhibit includes a red panda and Amur leopard. The Outback Adventure has kangaroos, wallabies, emus and a walk-through aviary with 500 exotic birds. The unique Reptile/Education Building is home to a host of rare species, including the black dragon monitor lizard, little golden-mantled flying fox bats and the New Jersey bog turtle. The Zoo is home to more than 100 species from five continents, wide-ranging in size – from the half-ton North American Bison to a tiny spider. New exhibits are constantly being added, and later this year, work will begin on a new Malaysian-themed exhibit presenting Gibbons apes rambling through their Tibetan ruin home. To enhance the wildlife adventure, there are three open-air pavilions for picnics and relaxation, an indoor cafeteria, nature-themed playground, a Carousel featuring 33 endangered animal figures, and a miniature train ride. Codey Arena, adjacent to the zoo, is a versatile facility that hosts sporting and cultural events, expos and special activities. Visitors of all ages can learn to ice skate, catch the fast-paced action of minor league hockey with the Jersey Rockhoppers or witness the beauty of figure skating with the Essex Skating Club. The arena also hosts several college and high school hockey teams. When not in use for skating, it has been transformed into banquet space and has hosted the Twin Brooks Kennel Club Winter Dog Show and Essex County Senior Wellness Day. Just up the road is the 3-year-old Essex County Environmental Center, which has quickly become a regional center for discussions and workshops about nature and conservation. Classrooms extend beyond the walls to the banks of the Passaic River and into the woods of Essex County West Essex Park. Each month a variety of hands-on programs and activities offer residents of all ages an opportunity to understand our earth and local habitats.

Brown’s River Ad

From the start, Essex County has been the industrial and financial hub of New Jersey. The local economy continues to shift from a manufacturing base to a service oriented economy and many corporate giants as PSE&G, Verizon, ADP, and Prudential have their headquarters here. New industrial and professional office parks, hi-tech centers, and luxury condominiums and townhouses in the western portion of the County provide an attractive setting and the opening of the Prudential Center – home of the New Jersey Devils – shows progress in the resurgence of Newark, the State’s largest city. With Newark Liberty International Airport and Port Newark located within its borders, Essex County is a major national transportation hub with a superior network of rail, highway, air and sea transportation.

**We invite you to come out and experience Essex County!  
For more information, please visit [www.essexcountynj.org](http://www.essexcountynj.org)**

*League of Municipalities Conference  
November 17-19, 2009*

**The Annual Business Meeting will be held on November 18, 2009 at the Tropicana Casino and Resort Hotel. Tickets are \$30 each and are available through your Advisory Board representative (see page 2 for listing by County).**

**MCANJ Breakfast Buffet will be served from 8:00-9:30 a.m.  
Annual Business Meeting will begin at 9:00 a.m.**

**2010 MCANJ Officers sworn in**

**Newest RMCs, CMCs and MMCs honored**

**Who will be 2009 “Municipal Clerk of the Year”?**

**DEADLINES FOR NEWS ITEMS**

The deadline for the October issue is August 28, 2009. Please send People Page news to Sharon Brienza, Municipal Clerk, Branchburg Borough, 1077 US Highway 202 North, Branchburg, NJ 08876. Questions or comments regarding this or any issue of the *Quill* should be directed to the Editor, Jim Doherty, Township of Wantage, 888 Route 23, Wantage, NJ 07461 or by calling 973-875-7192 or via email to: [administrator@wantagewp-nj.org](mailto:administrator@wantagewp-nj.org). Articles for submission should be prepared in Microsoft Word, using Times New Roman 10-point font, and sent as an email attachment to [administrator@wantagewp-nj.org](mailto:administrator@wantagewp-nj.org) by the deadline specified.

the *Quill*  
Editor - Jim Doherty  
11 Boxwood Terrace  
Toms River, NJ 08755

STANDARD MAIL  
U.S. POSTAGE PAID  
BERGENFIELD, NJ  
PERMIT NO. 447