

Municipal Clerks' Association of New Jersey, Inc.
Advisory Board Meeting
Thursday, April 24, 2008
Tropicana Hotel, Casino and Resort
2831 Boardwalk
Atlantic City, New Jersey 08401

CALL TO ORDER

President Heather Mailander called the meeting to order at 8:20 AM.

ROLL CALL

At call of roll, the following were present: President Heather Mailander, 1st Vice President Joan Moreland, 2nd Vice President Vincent Buttiglieri, Treasurer Joanne M. Kwasniewski, Secretary Andrew J. Pavlica, Immediate Past President Barbara Hawk and Administrative Consultant L. Manuel Hirshblond, Legal Counsel Thomas Segreto, as well as several Advisory Board Members.

FLAG SALUTE

President Mailander led everyone in the Pledge of Allegiance to the Flag.

MOMENT OF SILENCE

President Mailander asked for a Moment of Silence for our Service Men and Women.

APPROVAL OF MINUTES

On a motion by Barbara Hawk, seconded by John Mitch, and carried by unanimous vote, the Advisory Board Minutes of January 25, 2008, were approved.

TREASURER'S REPORT

Treasurer Kwasniewski reported that Account Balances as of April 12, 2008, included a Checking Account balance of \$122,078.80; one Certificate of Deposit of \$102,685.38; a short term CD of \$20,000.00; a Legal Defense Fund balance of \$106,578.20; and a Scholarship Fund balance of \$6,090.89; for a total Account Balance of \$357,433.27.

She reported that the 2008 approved Budget is \$126,100.00, with Revenues to date of \$136,259.33, and Expenditures to date of \$37,785.35.

On a motion by Nancy Saffos, seconded by Elaine Kennedy, and carried by unanimous vote, the Treasurer's Report, was accepted.

Treasurer Kwasniewski also reported that 453 Municipalities have paid their dues as of April 12th, which is about 80%. She said that a Membership breakdown indicates that of those who have paid their dues, 433 are Municipal Clerks, and the rest are as follows: 222 Deputy Clerks, 18 Acting Clerks, 19 Assistant Clerks, 5 County Clerks, 1 Deputy County Clerk, 1 Clerk to the Freeholder Board, 13 Affiliates, for a total of 714. She reported that she also has received PO's, but not checks, from several Municipalities and Counties. She reminded everyone that dues are not paid until the Treasurer receives a check for membership.

SECRETARY'S REPORT

Secretary Pavlica reported that submissions for Nominees of Municipal Clerk of the Year are due by July 1, 2008, and that if anyone knows of a Clerk to be considered who has had a positive impact on our Profession, who should be considered for this prestigious honor, nomination forms are on Page 11 of the latest Quill.

Secretary Pavlica also reported that the deadline for applications for the MCANJ Executive Board is July 22, 2008, and if anyone is a tenured and dedicated Municipal Clerk looking for a rewarding experience and a chance to give back to our Profession, this could be a worthwhile opportunity and nomination forms are on page 4 of the latest Quill.

SECOND VICE PRESIDENT'S REPORT

Second Vice President Buttiglieri thanked most everybody for getting their Conference Registrations in a timely manner.

He reported that the Annual Meeting of the MCANJ will be held this year on November 19th at the Tropicana in the Royal Swan Ball Room and tickets are being printed and will be sent to the Advisory Board Members of each County to pass on to the members and to look for them during the beginning of June.

FIRST VICE PRESIDENT'S REPORT

First Vice President Moreland spoke on the November Annual Meeting to be held at the Tropicana. She reported on the 2009 MCANJ Education Conference scheduled to be held April 27 – 30, 2009 here at the Tropicana in Atlantic City. She said that a good time and a good education experience is planned for everyone and the cost for rooms will be \$135/night at the Havana, and \$95/night at the Towers.

IMMEDIATE PAST PRESIDENT'S REPORT

Immediate Past President Hawk reported that on April 10th, she and First Vice President Moreland attended the New Jersey Conference of Mayors 45th Annual Conference at the Taj Mahal in Atlantic City. She was on a panel of a Nuts and Bolts Session for new Mayors entitled, "Your First Year in Office". On the panel was DCA Commissioner Joseph Doria; Joe Hoffman and Jack Daley, Managing Partners of Bowman and Company, Municipal Accountants; Steve Glickman, NJCM Labor Counsel, and other prominent speakers. She spoke on the statutory duties of Municipal Clerks and encouraged the Mayors to utilize the knowledge of their Municipal Clerks and how vital our continuing education is to us and to the Governing Bodies, as well. She also spoke about the Senior Freeze Property Tax Reimbursement. She said that it was her third year participating at the Conference and she finds each year she offers something which helps the Mayors understand the Clerk's position better.

PRESIDENT'S REPORT

President Mailander reported that the MCANJ has been issued a Raffle License Certificate and Number from State Legalized Games of Chance and the MCANJ will have at least one raffle for November and perhaps an additional one in May. She said that she needs about four people who would be interested in serving on the Raffles Committee and interested people should contact her.

President Mailander encouraged everyone to visit the MCANJ Website and commented on the improvements to it and all the new information available on the Website.

President Mailander said that she is in receipt of a letter from the Mayor of Ocean Township fully endorsing Second Vice President Buttiglieri's continued fulfillment of his obligations as a member of the MCANJ Executive Board through the year 2011. This was necessary after Second Vice President Buttiglieri left employment with South Plainfield.

President Mailander made everyone aware that sample Proclamations and Resolutions for Municipal Clerks Week, (May 4 – 10, 2008), were available in the back of the room.

She reminded everyone to pick up their Clerks' Manual CD at the Registration Desk.

She reminded everyone that June 15th is the deadline for recipes to be included in the MCANJ Cook Book fundraiser project.

She asked for four volunteers to be new members on the Committee for Laws Affecting Municipal Clerks and she thinks she may have gotten two Clerks who have shown an interest in serving and she appreciates it.

She spoke on the new process of people's name tags being scanned upon entering Education Sessions. She said that everyone who would like CEUs must be at the session no later than ten minutes into the session and cannot leave early in order to receive a CEU Certificate. She recognized the people from United Computer who have loaned this scanning program to the MCANJ for this Conference and she reminded everyone to fill out their Conference Evaluation Forms.

She advised everyone that the Silent Auction will end at 10:45 AM, and remarked that after the break, US Attorney Christopher Christie will address the Conference and it is expected to be a very good session.

President Mailander recognized Education Committee Chairman Allan Susen who came up to the podium and explained how Conference Attendees can attain IIMC Certified Municipal Clerk and Master Municipal Clerk points for this Conference. He spoke on the new IIMC Education requirements and suggested visiting the MCANJ Website and the Website of the International Institute of Municipal Clerks for more information.

President Mailander thanked all the members of the Conference Committee, the MCANJ Executive Board, the Education Committee, the Clerk Retirees who helped at the registration desks, all the volunteers who helped with the scanning prior to the sessions and to Conference Education Chair Jane Williams Warren and Conference Co-Chairs Joel Popkin and Sharon Brienza, for a wonderful Conference.

OTHER REPORTS

- a. Administrative Consultant L. Manuel Hirshblond reported that the deadline for the Legal Defense Fund was April 1st. He said that he is still receiving renewals and he has received several new members this year. He reported that there is \$106,000 in the fund and it is there to help Clerks in case there is a legal issue.
- b. Legal Counsel Thomas Segreto reported on two recent OPRA Decisions.

The first one was *Press of Atlantic City vs. City of Atlantic City, et. al.* and it was ruled that fines were appropriate and that regardless of organizational disorder in the Municipality, the custodian of records must respond within 7 business days.

The second one was a decision which came down from the Appellate Division on March 31, 2008, in the case of *Mason vs. Hoboken*, and dealt with cell phone records. It was ruled that there can be no redactions without a valid reason.

He also reported on Senate Bill S-2949, which changed the deadline for the voter-verified paper record of votes cast on voting machines to June 3, 2008, and there is also a bill sitting on the Governor's desk to probably postpone that deadline to January 2009.

He reported on Assembly Bill A-873, which would extend the State's temporary Disability Insurance (TDI) to provide up to six weeks leave for family care.

He reported on Assembly Bill A-1917, which is an amendment to the Open Public Contracts Law and which says that if a Bidder had a negative experience in another Municipality, than that can be a reason to disqualify that bidder.

He reported on Senate Bill S-1421, which has OPRA implications with regard to State or Local Governing Bodies and involving contractors or subcontractors with less than 1,000 employees regarding the transportation of Solid Waste or Recyclables. It pertains to payroll records and they are required to be made available not more than 10 days after the payment of the wages.

He reported on Assembly Bill A-344, which concerns Police Records. He said that when people make an OPRA request for an accident report, it is sometimes referred to the Police Department, and if an OPRA Form is used, it allows for an additional charge of \$5 per page. If someone is the owner, operator or passenger of the motor vehicle, under this bill, the person would be exempt from the fee.

He reported on an issue which has come up which pertains to the Clerks Manual/Desk Reference. He said that some OPRA requesters have been using this as a legal authority to try to use against Municipal Clerks. He said that the Clerks Desk Reference is not a legal guide, and if someone sees a reference to a statute, a case, a particular legal course of action, the Municipal Clerk still needs to consult with the Municipal Attorney to follow their legal advice. He said that the MCANJ does not provide legal advice through its Educational Manual. He said that it is designed to assist Municipal Clerks with suggested best practices. He said that the MCANJ has been working with Coded Systems to make sure that a disclaimer is prominently placed on the Manual and the Disks.

He commented that the rest of his report is on the MCANJ Website, but he just wanted to highlight certain points.

- c. Constitution and By-Laws - No Report.
- d. Education Committee Chairman Allan Susen reported that the Spring RMC Exam was held a few weeks ago, and everyone is patiently waiting for the results, to see how many people passed or failed.

He reported that the Education Committee is still looking for Instructors and if anyone is interested, they should contact Rutgers University Associate Program Specialist Pamela Morley Chappelle.

- e. Education Conference Committee Co-Chair Joel Popkin commented that he hoped everyone was enjoying the Conference and he commented on the importance to fill out the evaluation sheets.
- f. Pat Frontino reported for Mini-Conference South and spoke on plans for a half-day seminar from 9:00 AM to 12:30 PM on Monday, May 19th in Vineland offering CEUs in Records, Ethics and Finance.
- g. Professional Development – No Report.
- h. Elections Co-Chair Barbara Bascom reported that a meeting was held in Freehold attempting to address a lot of pending legislation regarding Election Law. She said that the biggest issues for a lot of Municipalities is the use of School Buildings. They are attempting to develop a model resolution and letter explaining the necessity to use the schools during an election. She said that Schools are encouraging students to work as poll workers. She said that voting is the most democratic act a person can do in this country. She said that Schools are teaching children about the importance of the right to vote in this country, and then they are saying that polling places are not allowed in Schools. She said that security is a big issue now a days, but you have sporting events in the schools, they have half days, in service days, and these are some of the points that they will try to incorporate in the sample resolution and letter which is hoped to be available next month.
- i. Kathy Wisniewski reported on the silent auction and said that the apparel is moving well and she encouraged everyone to participate.
- j. Information Technology Chairperson Bette Mastropasqua reported on the updating and revamping of the MCANJ Website, with much help from Nancy Hatten. She reported that many things are now being posted such as Job Opportunities, Mini Conferences, County Meetings and Seminars and other useful information to Municipal Clerks.
- k. Legal Defense Fund – No Report.
- l. Legislative Review Chairperson Elaine Kennedy asked for support in opposing Assembly Bill A-1105, which would require the posting of certain things on the Internet, which can be costly to Municipalities, because some small towns do not even have Websites.

She reported on Assembly Bill A-2583, which would limit Terminal Leave or Sick Time to a total of \$15,000, and there's another bill in the Assembly that would limit it to \$10,000.

She reported on Assembly Bill A-2565, which would take away some Home Rule because it would limit the State, Counties and Municipalities to only ten paid holidays.
- m. Laws Affecting the Municipal Clerks – No Report.
- n. Manual Review – No Report.
- o. Membership North – No Report.
- p. Membership Central – No Report.
- q. Membership South – No Report.

- r. Peer Alliance – No Report.
- s. Jane Williams-Warren of the Past Presidents’ Council reported that assistance is needed in selling Raffles for the MCANJ Annual Meeting in November and that attempts are being made to activate the Peer Alliance Program so as to assist new Clerks.
- t. Public Relations/Booth Chairperson Lydia Magnotti thanked the Committee for manning the MCANJ Booth, and she especially thanked Rich Moreland, Bill Hawk and Manny Hirshblond for all their help.
- u. Quill – No Report.
- v. Records Committee Chairperson Denise Szabo reported on the Committee’s attendance at State Government Records Council meetings. She reported that the top reason for matters before the GRC is Clerks not responding within 7 days to OPRA requests. She reported that a letter has been written to the Governor seeking the appointment of a retired Municipal Clerk to fill a vacancy on the Government Records Council. She reported that A-266 has been introduced in the Assembly which would exempt Clerks from penalties in certain instances under the Open Public Records Act. She reported that the Committee is still pressing Catherine Starghill of the Government Records Council to provide Alerts of important GRC Decisions.
- w. Resolutions – No Report.
- x. Scholarship Committee Chairperson Bonnie Leonetti reported that the number of RMC scholarships were increased this year, including one night accommodation for all levels of scholarships this year. The deadline for applications is still September 1st.
- y. Region II Director Allan Susen reported on the availability of MCEF Scholarships and MCEF grants for which the MCANJ can apply.

He reported that the other IIMC Region II Director, Carol Jacobs from Maryland, was impressed by what the MCANJ has to offer its Clerks at its Education Conference.

He spoke on the IIMC Annual Conference to be held May 18 – 22, 2008, in Atlanta, Georgia.

He spoke on the IIMC Region II Conference which was held this past January in Portsmouth, VA, and he spoke on next year’s Region II Conference scheduled to be held in Anapolis, MD.

He reported that Jane Williams Warren is the only person who applied to succeed him as one of the Region II Directors when his term expires later this year. He said that he knows that she will do an excellent job.

He reported that New Jersey has been very actively pursuing a bid to host the Annual IIMC Conference in Atlantic City in 2013. He has attended several meetings and in February he met at the Taj Mahal with representatives of the Hotel and with representatives of the Atlantic City Tourism and Visitors Bureau. They are so excited about helping the MCANJ put this event together and he is very confident that New Jersey will have a very good package and an excellent chance to host this Conference in 2013. The slogan for the bid is “Grow Professionally with the Garden State – It’s a Shore Thing”, because the Committee wanted to highlight Professionalism, and New Jersey as a resort destination. He has not heard of anyone submitting against New Jersey and the IIMC will make a selection at their October Mid-Year Meeting.

OTHER BUSINESS

- a. Old Business - None.
- b. New Business - None.

c. Reports of the County Advisory Board Members:

Atlantic – A County Representative thanked the Committee for a great Conference.

Bergen – Nancy Hatten reported that at the Bergen County Municipal Clerks' Association Meeting in February, Scott Steinmann from Legalized Games of Chance, spoke and 1.5 contact hours was awarded in Licensing, and in April, a spokesperson from the Division of Archives and Records Management spoke and 2 hours were awarded in Records.

Burlington – No Report.

Camden – Nancy Saffos reported that the County Association continues to offer CEUs at their meetings, and Theresa Lappe, the Clerk from Tavistock, had a granddaughter born two days ago.

Cape May – A County Representative reported that the next Committee meeting will be held May 6th with CEUs in Licensing.

Cumberland – No Report.

Essex – No Report.

Gloucester – Debbie Pine of Elk Township reported that at their County Association meeting in May, CEUs were offered in Ethics and they are reviewing applications for scholarships to be given to deserving students.

Hudson – No Report.

Huntingdon – Diane Pflugfelder said that their County is working closely with the Chamber of Commerce to institute Shared Services Programs to help all their municipalities and she reported that Dorothy Gooditis, the Clerk of Raritan, will be retiring in June of 2008.

Mercer – Sharon Young reported that their Association offered 3 CEUs in Ethics last week.

Middlesex – Margaret Pemberton reported that on May 15th in Edison, their Association will host a session with Catherine Starghill of the Government Records Council.

Monmouth – Barbara Bascom reported that their County Clerks' Association will host Scott Steinmann from Legalized Games of Chance on June 13th and there will be CEUs awarded in Licensing.

Morris – No Report.

Ocean – Bette Mastropasqua reported that their Association's next quarterly meeting will be held on May 14th and it will be a combined session with General Code Publishers. She reported that they issued their first scholarship to Bonnie Leonetti from Long Branch.

Passaic – No Report.

Salem – A representative reported that at their Association's next meeting on Wednesday, April 30th, they will offer CEUs in Licensing. She reported that the Clerk from the Borough of Woodstown, Cynthia Dalessio, recently had surgery, and is doing well.

Somerset – No Report.

Sussex – No Report.

Union – A representative reported that County members are participating in the Union County PARIS grants program and that Laddie Wyatt of Plainfield received the Union County Commission on the Status of Women's 16th Annual 2008 Women

of Excellence Award for Lifetime Achievement in Municipal Government on March 28 in Garwood.

Warren – No Report.

ADJOURNMENT

At 9:45 AM, there being no further business, on a motion by Bette Mastropasqua, seconded by Diane Pflugfelder, and unanimously carried, the meeting was adjourned.

Respectfully Submitted,

Andrew J. Pavlica, RMC/CMC/MMC
MCANJ Secretary