

Municipal Clerks Association of New Jersey
Advisory Board Meeting
June 19, 2009 – Crown Plaza Hotel, Jamesburg, New Jersey

1st Vice President Buttiglieri called the meeting to order at 10:10 a.m.

Executive Board Members present were: 1st Vice President Vincent Buttiglieri, 2nd Vice President Joanne M. Kwasniewski, Treasurer Andrew J. Pavlica, Immediate Past President Heather Mailander, Legal Counsel Richard A. Lustgarten, Administrative Consultant L. Manuel Hirshblond and Administrative Consultant-in-Training Joel Popkin.

ABSENT: President Joan Moreland and Secretary Nancy Saffos.

1st Vice President Buttiglieri gave an update on the condition of President Moreland who will be out of work until September with back problems and Secretary Saffos who is scheduled for back surgery on June 24.

MOMENT OF SILENCE: A moment of silence was observed for Vicky McDonald, the retired Municipal Clerk of Hillsborough who passed away last week.

APPROVAL OF MINUTES: 1st Vice President deferred the approval of the minutes of the April 30, 2009 Advisory Board meeting until the September Advisory Board meeting.

TREASURER'S REPORT: Treasurer Pavlica reported that account balances as of June 16, 2009 total \$313,044.49 which includes two CDs, the checking account, the Raffles Account, the Legal Defense Fund and the AC in 2013 Fund.

Treasurer Pavlica distributed the Budget Summary, which indicated that Revenues were \$163,088.82 and Expenditures of \$135,240.36.

2nd Vice President Kwasniewski reported that the smaller CD was maturing. She will deposit the balance in the checking account.

On a motion by Chris Wilder and seconded by Jane Williams-Warren, the treasurer's report was approved.

OFFICER'S REPORTS:

Secretary's Report: In the absence of Secretary Saffos, 1st Vice President Buttiglieri reported that the deadline for nominations for Municipal Clerk of the Year is July 1, 2009 and the deadline for filing an application for Secretary is July 21, 2009.

Treasurer's Report: Treasurer Pavlica gave the membership report: 485 Municipal Clerks; 248 Deputy Municipal Clerks, 14 Acting Municipal Clerks; 17 Assistant Municipal Clerks, 5 County Clerks, 3 Deputy County Clerks, 3 Clerks to the Freeholder Board and 15 Affiliates for a total of 790 members. He also reported that Mercer County had achieved 100%.

2nd Vice President's Report: 2nd Vice President Kwasniewski reported that the next edition of the Quill would also have the room reservation form for the League of Municipalities Conference. Since that form was submitted to the Quill, the rates have been reduced. The rate for the towers is \$103 and \$133 for the Havana tower. MCANJ has 60 rooms available; 30 in Havana and 30 in the other Towers. The forms must be returned to her by September 11.

2nd Vice President Kwasniewski reported that she had the tickets for the breakfast at the Annual Business Meeting, which will be held on November 18. She distributed them to those present and will be mailing the tickets to those Advisory Board Representatives who are not present. Breakfast will start at 8:00 a.m. with the Business Meeting starting at 9:00 a.m.

1st Vice President's Report: 1st Vice President Buttiglieri distributed a spreadsheet that the League of Municipalities prepared of the CEU's that Municipal Clerks can earn for the sessions at the League Conference. MCANJ will be holding two additional sessions; one in elections and licensing. The League has assigned the sessions that MCANJ is responsible for the sign in sheets and the CEU certificates. The Education Committee will be asking for assistance with the sign in sheets and CEU certificates for six sessions.

He continued that MCANJ would not be holding a session Thursday morning because the League has scheduled an OPRA session at 10:45 a.m. that morning. He expressed the Executive Board's concern to the League that MCANJ always holds a session on Thursday and asked them to refrain from scheduling something Thursday morning.

1st Vice President Buttiglieri announced that the Annual Education Conference would be held from March 22 through 25, 2010 at the Taj Mahal.

President's Report: In the absence of President Moreland, 1st Vice President Buttiglieri expressed her appreciation for all who assisted and worked at the Annual Education Conference. It was a tremendous success.

He reported that he had the privilege of representing New Jersey at the Opening Ceremony at the IIMC Conference in Chicago. Jim Lovell and the CEO of Monster.com were excellent speakers. The meeting rooms were terrible. None of the rooms had enough seating. The rooms had huge columns that restricted the views. There was no seating for the lunches. Fifteen Municipal Clerks attended from New Jersey. He held a small reception for Region II.

The Consulting Period at the NJ State League of Municipalities will be held on Tuesday, November 17, 2009 from 12:00 noon to 2:00 p.m.

1st Vice President Buttiglieri reported that 15 registrations and five alternate registrations for the 2010 Annual Education Conference would be awarded at the Annual Business Meeting. If the people who receive the complimentary registration have not registered by the deadline, the alternates will be contacted.

President Moreland will be sending a letter to the IIMC President inviting her to the Annual Business Meeting.

1st Vice President Buttiglieri advised that the Asbury Park Press in Monmouth County and Gannett News in Ocean County filed an OPRA request for salary information including everyone's base salary and overtime for 2008 and the first five months of 2009. Bette Mastropasqua added that they also want job titles and when that job title went into effect.

1st Vice President Buttiglieri distributed a copy of an article that appeared in the Asbury Park Press on John Paff.

Immediate Past President: Immediate Past President Mailander had no report.

Legal Consultant: Attorney Lustgarten reported that he had submitted an article to the Quill concerning two recent OPRA decisions. Although by statute all requests are to be on the model form drafted by the Government Records Council under Renna vs. Union County if a request is not on the form but the language is clear it is still a valid OPRA request. The rationale for this case is that the general public access and transparency is paramount. In Paff vs. East Orange it was determined that faxes do not have to be honored as valid OPRA requests.

Administrative Consultant: Administrative Consultant Hirshblond reported that he has been working with Administrative-Consultant-in-Training Popkin. They will be relocating the files and conference supplies to a storage unit in Neptune in November. They are transferring the files this summer.

Administrative Consultant-in-Training: Administrative Consultant-in-Training Popkin reported that he has been meeting with the Administrative Consultant Hirshblond. The Executive Board is considering getting a small copier that would help reduce the printing costs for the Annual Education Conference. He is in the process of developing a manual for the Conference that will aid future Conference Chairs. He will also be purchasing at least one fireproof cabinet for original minutes.

Chris Wilder asked if the Executive Board had considered scanning the records to reduce the volume in the storage bin.

Constitution & By-Laws – No report.

Education Committee – Alan Susen reported that the Education Committee has been working on the sessions for the CMC and MMC programs for the fall. He reported that the passing rate

for the State exam was 48 percent. Dan Kaminski is going to attend the Review Course to better prepare the students for the exam. He concluded that he will be resigning as Education Committee chair. They have implemented subcommittees which has been helpful. He had announced his candidacy for Vice President for IIMC but his new position as Administrator/Municipal Clerk will not allow him to make that time commitment.

Education Conference Committee – Administrative Consultant-in-Training Popkin reported that the Conference was successful. The Executive Board made the decision to extend the deadline for registering which helped. The attendance was very close to that of other years. The evaluations in general were positive.

Mini Conference – Central - Patty Hunt reported that Sharon Young and Michele Auletta will be holding a mini conference in October.

Mini Conference – South – On behalf of Pat Frontino, 1st Vice President Buttiglieri reported that they will hold a mini conference on September 11 for Elections.

Elections – Jane Williams-Warren thanked those who sent in comments about the problems with Board workers. She then reported on HAVA. On March 6, 2009 the law requiring the paper trail on all voting machines was suspended. The State has reallocated \$15 million for such things as on line training for County officials, on line training for poll workers, voter outreach and education, State management of HAVA and for the Statewide Voter Registration System. Some of the money will be used to replace voting machines that are outdated.

Bette Mastropasqua felt strongly that they need to get younger people involved as poll workers. She felt that High School Juniors and Seniors should be given credit for working at the polls. Jane Williams-Warren indicated that the County has to agree to institute the program. It must be a joint venture with the County Election Officials and the school districts. Another suggestion was to use community college students but many of them did not live in that County. Sharon Brienza indicated that several years ago Somerset County promoted that program so that now there are about four who started in the program and continue to be Board workers.

Fundraising – 1st Vice President Buttiglieri reported that he received an email from Rosemarie Saracino that the Fundraising Committee raised \$6,139 through the sale of merchandise and silent auction items.

Information Technology – Bette Mastropasqua expressed her concern that when she forwards an email to the membership, they reply to her and not to the original requestor.

Legal Defense Fund – Sharon Brienza reported that the Legal Defense Fund is very solvent. The renewal deadline was in April. She had reminded everyone to renew by that deadline so that they would not have to become a new member which has a 90-day waiting period. She noted that the Association should be promoting the Legal Defense Fund to the newer Municipal Clerks and encouraging them to join before they encounter problems. She received many calls about furloughs.

Legislative Review – No report.

Laws Affecting Municipal Clerks – Harold Weiner reported that Michele Auletta reminded the members of the Committee to continue to track their individual areas. He reported that the QPA bill passed both houses and is sitting on the Governor's desk to be signed. The bill contains some provisions that would exempt the smaller municipalities. The League of Municipalities was against the bill; perhaps because it is another mandate without any funding. The Conference of Mayors is also against the bill. It is a costly bill for the municipalities.

Harold Weiner added that the Vote by Mail bill is also on the Governor's desk. In nonpartisan municipalities another notice is required.

Manual Review Committee – Administrative Consultant-in-Training Popkin stated that at the beginning of the year President Moreland had asked him to work with this committee. He met with the Committee and the instructors and set up a procedure and time line to get the updates done in a timely manner. Lori Buckalew has assigned the chapters to the Committee members to oversee. The instructors have forms to make suggestion and revisions to the chapters. Previously the instructors would make suggestions for changes but they never saw the chapters before they went to print. This year the instructors will have a week to review the changes before they go to Coded Systems. Changes will also be made to the desk reference at the same time.

The desk reference is on line. Several people have requested CD's but they can get it on line through the Association's website.

The Committee is going to look at the Manual to see if there are things that can be removed. They have continually added things to the Manual but have not added any time to the courses. The information will remain in the Desk Reference. Gradually over this year and next year they will be reviewing the material to see if it can be pared back particularly the chapter on purchasing and contracts. That chapter has more than doubled in the last four years.

Membership North, Central and South – Treasure Pavlica reported that he will be sending the Chairs the list of those municipalities who have not paid their dues yet.

Peer Alliance for Learning – No report.

Past Presidents Council – No report.

Public Relations/Booth – No report.

Quill – No report.

Records – John Mitch reported that there is always a representative from this Committee at the GRC meetings. There is still a vacancy on the GRC Council. Chris Wilder reported that she received a letter advising that they were reviewing the resumes, but that was last year and she has not heard anything since that time.

Resolutions – No report.

Scholarship – 1st Vice President Buttiglieri reminded everyone that scholarship applications should be sent to Bonnie Leonetti.

Region II – Region II Director Williams-Warren commended 1st Vice President Buttiglieri for his excellent representation of the MCANJ at the IIMC Conference in Chicago. He had excellent assistants in 2nd Vice President Kwasniewski and Treasurer Pavlica. She concluded that New Jersey was well represented.

Immediate Past President Mailander expected that there would be another tele-conference regarding rotating the directors. New Jersey has traditionally held one of the chairs for the Region II directors and the other position has rotated among the other States in Region II. She and 1st Vice President Buttiglieri were appointed to the ad hoc committee to represent New Jersey. There are other States that also believe that the system works well now and that there is no reason to change it. Some States believe that both positions should rotate. IIMC claims that every region rotates both directors although Immediate Past President Mailander did not know if that was true. Region II Director Williams-Warren felt that IIMC should not get involved with this issue. She added that there are not very many candidates interested in serving as Region II Directors. Chris Wilder noted that the other Region II Director made a comment that the IIMC was willing to conduct the election on the proposal. She checked with IIMC headquarters and was told that the IIMC would only be giving the labels of the members in the region. The Regions are independent of the IIMC. 1st Vice President Buttiglieri stated that the ad hoc committee has to give a report to the Region II Directors. He does not believe that there is enough support to even bring this proposal to a vote.

Region II Director Williams-Warren reported that IIMC is revamping the guidelines for education. She mentioned that there will be a study abroad program.

2013 IIMC Conference – Chris Wilder reported that the booth in Chicago was a success. She will send a photo of the booth so that it can be included in the next issue of the Quill. The Committee is investigating the possibility of hiring a fund raiser for the 2010 Region II Conference. For a fee of \$3,000 which will be payable once they raise \$20,000 they will raise funds for the 2010 Region II meeting and the 2010 Education Conference. If they are successful and the Committee is pleased with the firm, the Executive Board could enter into a contract with them to help raise funds for 2013. The firm would earn 10% of all the funds raised.

2nd Vice President Kwasniewski added that the representative of this firm had contacted her representing Verizon/New Jersey Shares and they sponsored one of the breaks at the past Education Conference. 2nd Vice President Kwasniewski stated that she spoke to her last week because she had not received the check. She sent another invoice and was advised that the

check will be coming forthwith. Chris Wilder concluded that the firm is very excited about working with the Association.

Chris Wilder continued that the Committee is working on the Region II Conference. A Save the Date mailing will go out in September. Packets of five 50/50 raffle tickets at \$5 each will also be mailed to all members with an accompanying letter. The drawing will be held at the Annual Business Meeting in Atlantic City, but no tickets will be sold during that meeting.

NEW BUSINESS:

Alan Susen reported that IIMC is offering a Study Abroad Program in Wales this year. He suggested that the Association offer a scholarship for this Program. The estimated cost for the program is \$1300. He asked the Executive Board to consider offering a scholarship as a way to promote education.

Immediate Past President Mailander suggested that the Executive Board also consider offering a scholarship to cover the registration for IIMC.

Administrative Consultant-in-Training Popkin reported that he met with Al Lipato, the new Executive Director for the Mayor's Association, about the possibility of doing some joint education programs. He will be meeting with him in July. They are now mailing their magazine to the MCANJ and they will be receiving a copy of the Quill.

Region II Director Williams-Warren reported that the room rate for the 2010 IIMC Conference in Reno Nevada will be \$99. The rate will be \$89 for registrations prior to October 1.

OLD BUSINESS:

Bette Mastropasqua stated that every year she updates the list of Municipal Clerks based on the League of Municipalities booklet. Every year there are Acting Municipal Clerks that are still on the list. 2nd Vice President Kwasniewski stated that she spoke to Dan Kaminski last year and he told her that if a complaint is filed, DCA investigates and sends out a letter to the governing body but the statutes do not give DCA any enforcement power.

REPORTS OF THE COUNTY ADVISORY BOARD MEMBERS:

Atlantic – No report.

Bergen – 2nd Vice President Kwasniewski reported that Bergen County met yesterday. They had a speaker from State Commission of Investigation who spoke about the various cases they have investigated. They will be receiving CEU's in Ethics.

Burlington – Patty Hunt reported they had their quarterly meeting in May with a speaker from Legalized Games of Chance Control Commission. Joyce Frenia from Medford Township has retired. She notified their County's peer alliance committee so that they can contact the new Municipal Clerk. They sent a letter to Joe Valenti commending him for all that he has done for their Association over the years.

Camden - Deanna Speck reported that the Association will be meeting on later this month and will be offering two CEU's in Elections.

Cape May – No report.

Cumberland – Susan Caljean reported that they held a Purchasing Update. The speaker was Maureen Mitchell who is a CFO/QPA. She reviewed the pay to play regulations and the new purchasing laws. Their next meeting will be in the fall.

Essex – Linda Wanat reported that they met last week. A question was raised about the ARTEMIS program and whether or not they had to use it. She questioned why they were required to pay for the training if the State is mandating it use. John Mitch indicated that Woodbridge was a pilot community. He found it cumbersome because it will not accept an electronic signature. Region II Director Williams-Warren had suggested that they hold a webinar but she was told that was not possible.

Gloucester – 1st Vice President Buttiglieri reported on behalf of Pat Frontino that they met on May 28, 2009 with the Gloucester County Mayors. Elaine Kennedy was the speaker. They received

one CEU in Professional Development and one in Ethics. The topic was What is so Important about the Municipal Clerk. On July 29, 2009 they are sponsoring a notary public seminar.

Hudson – No report.

Hunterdon – No report.

Mercer – No report.

Middlesex – John Mitch reported that they held a joint session with Mercer County which was a Casino Night done by Tumbling Dice. They will be launching a website in four to six weeks. They will link it to the MCANJ website.

Monmouth – No report.

Morris – No report.

Ocean – Bette Mastropasqua reported that they have a meeting scheduled on July 24.

Passaic - Region II Director Williams-Warren reported that they met on June 12.

Salem - No report.

Somerset – Sharon Brienza reported that they met on June 21 and received CEU's in Ethics.

Sussex – No report.

Union – No report.

Warren – No report.

NEXT ADVISORY BOARD MEETING – Friday, September 25, 2009.

Adjournment:

With no further business to discuss, on a motion by Alan Susen and seconded by Sharon Brienza the meeting was unanimously adjourned at 12:30 p.m.

Respectfully Submitted:

Joanne M. Kwasniewski, RMC/CMC/MMC
2nd Vice President