

**Municipal Clerks' Association of New Jersey, Inc.**  
**Executive Board Meeting Minutes**  
**Friday, January 27, 2012**  
 Fire House No. 4, Third Floor Meeting Room  
 97 Outwater Lane  
 Garfield, New Jersey 07026

**CALL TO ORDER:** President Andrew Pavlica called the meeting to order at 9:50 a.m.

**FLAG SALUTE AND MOMENT OF SILENCE:** The meeting commenced with the flag salute and a moment of silence.

**ROLL CALL:** President Andrew Pavlica, 1<sup>st</sup> Vice President Nancy Saffos, 2<sup>nd</sup> Vice President John Mitch, Treasurer Keith Kazmark, Secretary Patricia Hunt, Immediate Past President Joanne J. Kwasniewski, and Legal Counsel Richard Lustgarten (excused himself at 12:45 p.m.).

**APPROVAL OF MINUTES:** A motion was made by 2<sup>nd</sup> Vice President Mitch, seconded by 1<sup>st</sup> Vice President Saffos, to adopt the December 2, 2011 Executive Board Transition Meeting minutes. The vote was unanimous and the motion carried.

**TREASURER'S REPORT:** 2<sup>nd</sup> Vice President Mitch reported on the account balances as follows:

Checking/Savings (#7861948276)	\$79,837.03 (as of 12/31/11)*
Scholarship Funds	\$17,317.50 (as of 12/31/11)*
MCANJ Raffles (#3453661257)	\$13,836.63 (as of 12/31/11)
Certificate of Deposit (#100805027)	\$101,549.72 (as of 12/31/11)
AC in 2013 (#7869265160)	\$13,329.00 (as of 12/31/11)

\*Although Scholarship Funds is shown separately, this amount (\$17,317.50) is included in the Checking/Savings amount of \$79,837.03.

2<sup>nd</sup> Vice President Mitch reviewed the Membership Report (as of 12/31/2011). The total was 806.

2<sup>nd</sup> Vice President Mitch reviewed the 2011 Budget Summary Report (as of 12/31/2011).

A motion was made by Treasurer Kazmark, seconded by 1<sup>st</sup> Vice President Saffos, to adopt the 2011 Budget Summary Report. The vote was unanimous and the motion carried.

A motion was made by 2<sup>nd</sup> Vice President Mitch, seconded by 1<sup>st</sup> Vice President Saffos, to adopt the 2012 Budget as presented and reviewed by the Executive Board. The vote was unanimous and the motion carried. The vote was unanimous and the motion carried.

A motion was made by 1<sup>st</sup> Vice President Saffos, seconded by 2<sup>nd</sup> Vice President Mitch, to adopt the Treasurer's Report, as presented. The vote was unanimous and the motion carried.

### **REPORT OF OFFICERS**

**SECRETARY'S REPORT:** Secretary Hunt had no report.

**TREASURER'S REPORT:** Treasurer Kazmark reviewed the membership and LDF dues received as of January 16, 2012. He advised that he has also updated the individual member report.

Treasurer Kazmark advised that he attended the Newly Elected Officials seminar on January 21, 2012 at which he was a speaker. He advised the Board on the event. It was noted that 1<sup>st</sup> Vice President Saffos would be a speaker at the Newly Elected Officials seminar being held at Burlington County College, Mount Laurel Campus, on January 28, 2012.

**2<sup>ND</sup> VICE PRESIDENT'S REPORT:** 2<sup>nd</sup> Vice President Mitch reported on the Spring Conference registrations received to date. He advised that some of the registration forms that were mailed to the members were returned; he will follow-up and mail them back out. Treasurer Kazmark advised that some of the dues forms that he mailed out were returned also; but that he will be researching the addresses and resending the forms. Much discussion on who possess the most recent dues labels list ensued.

**1<sup>ST</sup> VICE PRESIDENT'S REPORT:** 1<sup>st</sup> Vice President Saffos had no report. She advised that she will provide a report on the number of rooms booked at the Tropicana and the number of breakfast tickets sold for the MCANJ Annual Breakfast meeting during the 2011 NJLM Conference.

**PRESIDENT'S REPORT:**

President Pavlica advised that he and Immediate Past President Kwasniewski attended a meeting with representatives from the NJLM, the Tax Collectors Association, the Tax Assessors Association, the GFOA and others and Senator Donald Norcross regarding his proposed Common Sense Shared Services Bill, which the MCANJ has concerns with. President Pavlica advised that Immediate Past President Kwasniewski was able to convey some of the MCANJ's concerns; however, the Senator did cut the meeting very short (approximately 20 minutes). In closing, the Senator did agree to change the language providing that a municipal clerk could be "removed for good cause" as a result of a shared service agreement. Also, in order to eliminate political mischief, the Senator also agreed that any shared service agreement would have to be entered into for a minimum of two years. If the agreement terminated prior to the two years, the municipal clerk that was removed would be afforded an opportunity to return to the position. Senator Norcross would not agree to a study being performed as a mandatory precursor to an agreement, however, the bill will require an analysis by the towns will have to be prepared. The Senator agreed to look at a model analysis the GFOA has. Finally, Senator Norcross would not agree to any termination notice requirements; he felt that a municipal clerk would be aware of the possibility of removal once he/she became aware that the governing body will be preparing an analysis. Attorney Lustgarten expressed concern with the analysis. He felt that justification for a shared service may be short-cutted and that towns will simply justify the shared service based upon the potential savings instead by a proper analysis. Much discussion ensued. In closing, it was decided that President Pavlica will send an email blast to all municipal clerks advising of the meeting. In addition, Attorney Lustgarten will prepare a bullet point list. This list will be forwarded by President Pavlica to all County Presidents, for distribution to municipal clerks, with a recommendation that all clerks reach out to their local legislators presenting the listed concerns (in a uniform manner). This form of communication would represent the municipal clerks' position and it would alleviate any concerns associated with the MCANJ's 501(c)3 status and lobbying. He will also forward a thank you letter to Senator Norcross. (The new Bill numbers are S-533 and A-1401.)

Executive Director Joel Popkin phoned in. A discussion regarding the location of the dues mailing labels ensued. Executive Director Popkin did not have the labels.

A brief discussion concerning the recently enacted law which permits school board elections to be held in November ensued. It was noted that school boards (or governing bodies) had until February 17<sup>th</sup> to adopt a resolution moving their elections.

President Pavlica read a letter from an attorney for the clerk of Lebanon regarding the sharing of its clerk and an ongoing court case which could affect municipal clerks. The attorney invited the MCANJ to join in the litigation. After discussion, Attorney Lustgarten was advised to contact the attorney and to report back.

Attorney Lustgarten advised that he will be meeting with Senator Weinberg regarding OPMA and OPRA.

President Pavlica advised that Steve F. Ritardi was appointed to the Government Records Council.

President Pavlica advised that Bill A-4366 proposing changes to the marriage/civil union license issuance and fees and a proposed bill to allow towns to post legal ads online, rather than in the newspaper, both died.

Best pricing health insurance contracting bill sponsored by Senator Tom Kean was briefly discussed.

President Pavlica advised that the Galloway Township case concerning the improper appointment of an acting clerk was dismissed.

President Pavlica advised that he received a request for an additional \$4,850 to be paid (in addition to the \$5,000 already paid by the LDF) in connection with the attorney's bill in an approved LDF case. The Board discussed this matter. In closing, Secretary Hunt was directed to forward a letter to the applicant requesting that she forward a copy of the settlement agreement, along with a statement as to whether or not she received any legal fees as part of the settlement agreement. Upon receipt of same, the Executive Board will further consider the request.

Discussion was held on the LDF bylaws and whether the amendments that were approved were ever officially adopted. Attorney Lustgarten and Immediate Past President Kwasniewski will work on finalizing the amending bylaws.

Richard Lustgarten advised that the Essex County Clerks have requested that the Executive Board come up with a list of approved attorneys that can be used in connection with cases involving the LDF. The matter was discussed. In closing, the Board agreed that it would not provide any such list and that a municipal clerk/applicant should seek an attorney on his/her own.

President Pavlica advised that an article entitled, "Haddon Heights Clerk Quits Over Alleged Harassment" was in the packet.

President Pavlica advised that Comcast will not be contributing \$3,000 towards the conference this year; and Verizon is no longer sponsoring 501(c)3 organizations and, therefore, they will not be contributing the normal \$5,000 for the conference this year. 2<sup>nd</sup> Vice President Mitch suggested applying for the VerizonShares grant. He advised that Executive Director Popkin may be applying on behalf of the MCANJ. A brief discussion regarding utilizing monies from the general fund to make up the shortfall ensued. The Board agreed to wait until it can compare the costs against dues received, etc.

President Pavlica advised that he attended the Region II Conference, January 11-13, 2012 in Manassas, VA. New Jersey was well represented.

President Pavlica advised that Past President Vinny Buttiglieri has raffle tickets for the IIMC Annual Conference in May 2012 in Portland, Oregon and he will be sending an email blast regarding same to all municipal clerks.

President Pavlica advised that the experimental Advisory Board conference call meeting scheduled for February has been postponed until June, 2012.

**IMMEDIATE PAST PRESIDENT'S REPORT:** Immediate Past President Kwasniewski advised that she received an email from William Robins; he lost his clerk pin and is requesting a replacement pin. The Executive Board requested that Immediate Past President Kwasniewski mail a replacement pin.

Immediate Past President Kwasniewski advised that Joan Anderson, Clerk in Hamilton Township, has asked if the MCANJ has someone that will hold an OPRA seminar. 2<sup>nd</sup> Vice President Mitch advised that he believes he has a power point presentation if they want to use it. He will advise Immediate Past President Kwasniewski on whether he has it and she will respond to Ms. Anderson.

Immediate Past President Kwasniewski advised that she will be purchasing the supplies for the conference folders. Each member will receive an envelope with their name on it and a folder without their name on it.

**EXECUTIVE DIRECTOR'S REPORT:** In Executive Director Popkin's absence, President Pavlica presented the report as written on the agenda and after discussion on each matter, decisions were made as follows:

Immediate Past President Kwasniewski will distribute the Legal Consultant's and Executive Director's contracts for signature.

Executive Director Popkin will follow up with Joan Moreland on the Municipal Clerk Survey for distribution at the March Conference.

Judy Allen, Delaware Township, forwarded an email expressing her disappointment that the MCANJ dues were not waived for 2012. Much discussion on this matter was had. In closing, it was decided that President Pavlica will advise Ms. Allen that the Executive Board is considering all cost cutting measures.

President Pavlica will not be attending Rose Marie Saracino's, Old Bridge Municipal Clerk, retirement party on January 30, 2012.

President Pavlica advised that Marc Pfeiffer, Deputy Director, NJDCA, DLGS, will be retiring effective March 31, 2012.

The Executive Board also approved all items listed on the Executive Director's Report and advised that there are no other assignments that the Board would like him to address.

**UPCOMING DATES:** President Pavlica reviewed the upcoming dates as written on the agenda:

NJSLOM – Newly Elected Officials Seminar

January 28, 2012 - Enterprise Center, Mount Laurel, New Jersey – Nancy Saffos

NJSLOM – Executive Leadership for Mayors and Council Presidents

February 25, 2012 – Conference Center at Mercer – Drew Pavlica

March 24, 2012 – Renaissance Meadowlands Hotel, Rutherford – Joanne Kwasniewski

MCANJ – Education Conference

March 27-30 – Taj Mahal, Atlantic City, NJ

IIMC Annual Conference

May 20-24, 2012 – Portland, Oregon

At 12:20 p.m., lunch recess was taken.

At 1:05 p.m., the meeting reconvened.

**2013 IIMC CONFERENCE:** Allen Susen was present; he provided a handout on the discussion items.

Raffles:

Portland raffle - \$5/ticket. Prize is registration and five nights. Drawing is at March Education Conference. He advised that Past Present Buttiglieri sent a raffle invite to Region II. Mr. Susen asked to expand that invite.

Atlantic City – Prize is registration and five nights (MCANJ provides for the hotel; IIMC provides for registration). Drawing at NJLM Conference in November.

\$10,000 Super Raffle – Cash Prize. Drawing at NJLM Conference in November. Discussion on expanding the raffle at the Region II Conference was discussed.

Mr. Susen advised that the volunteer vests will cost \$17.00 each for 100 vests. The color is red. The Board approved ordering them now so they can be worn at the Region II Conference.

The "Yes It Is True" cards have been ordered. Mr. Susen advised that the Taj Mahal and the Atlantic City Convention and Visitors Authority (ACCVA) will supply give aways. He asked if the MCANJ is ordering a new backdrop. Much discussion was held on this matter. The Executive Board telephoned Executive Director Popkin for clarification. Executive Director Popkin advised that the Executive Board previously approved him to purchase a 3'x5' banner advertising the 2013 IIMC Conference in Atlantic City with the logo. He needs the logo; he will get it from Chris Wilder. It was decided that the banner can be displayed at the booth in March, May and November (at each of the upcoming conferences). The Board approved same.

Discussion was held on ordering a new booth. No decisions were made.

Executive Director Popkin advised that once Treasurer Kazmark updates the labels, he can maintain same. Treasurer Kazmark will send the list once it is updated.

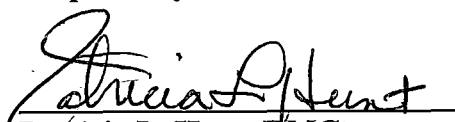
Mr. Susen advised that President Pavlica must give a presentation on the 2013 IIMC Conference in Atlantic City at the Portland breakfast meeting. The ACCVA is working on new video.

Mr. Susen suggested that the MCANJ solicit funding for the 2013 conference again after the March Education Conference, including sending requests to State legislators. The monies raised go towards "extras" at the 2013 IIMC Conference. Ideas for fun events were discussed. Mr. Susen said the space requirements are needed. Treasurer Kazmark suggested that the Executive Board set aside time at the March conference to discuss the outstanding issues. Opening Ceremony ideas were discussed. Treasurer Kazmark will research the cost and possibility of a cover band and the Jersey Boys. He will send the information to Mr. Susen.

The Executive Board discussed how many Super Raffle tickets to sell in this round and the prize. It was decided to sell 300 tickets with a first prize (35% of the proceeds – maximum \$10,000) and a second prize (15% of the proceeds – maximum \$5,000). The tickets will say "Only 300 Tickets Sold" and they will be sold in Portland.

**ADJOURNMENT:** There being no further business, a motion was made by Treasurer Kazmark, seconded by Secretary Hunt, to adjourn the meeting at 2:05 p.m. The vote was unanimous and the motion carried.

Respectfully submitted,

  
Patricia L. Hunt, RMC  
MCANJ Secretary (2012)