

# **MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY**

## **EXECUTIVE BOARD MEETING MINUTES**

**FRIDAY, AUGUST 15, 2014**

**ROONEY OCEANFRONT**

**100 OCEAN AVENUE, LONG BRANCH, NJ**

### **1. CALL TO ORDER**

President John Mitch called the meeting to order at 10:15 AM.

### **2. FLAG SALUTE AND MOMENT OF SILENCE**

Those in attendance saluted the flag and President John Mitch asked for a moment of silence, a prayer to protect all of the men and women serving in the armed forces.

### **3. ROLL CALL**

The following members of the Executive Board were present for the meeting:

President, John Mitch

1<sup>st</sup> Vice President, Keith Kazmark (left at 2:10 pm)

2<sup>nd</sup> Vice President, Denise Szabo

Treasurer, Dina Zawadski (arrived 10:47 am)

Secretary, Kevin Galland

Immediate Past President, Nancy Saffos (arrived 10:47 am)

Executive Director, Joel Popkin

Guests:

Alan Zalkind, Director, Rutgers Center for Government Services

Laura Flagg, Senior Program Coordinator, Rutgers Center for Government Services.

### **4. APPROVAL OF MINUTES**

Upon motion made by 2<sup>nd</sup> Vice President Szabo, seconded by 1<sup>st</sup> Vice President Kazmark, and unanimously passed on voice vote, the minutes of the May 2, 2014 Executive Board Meeting were approved.

### **5. REPORT OF OFFICERS**

#### **a. SECRETARY – KEVIN GALLAND**

- i. Secretary Galland reported that the 120 day cutoff for the receipt of Applications For Candidacy for the MCANJ Executive Board has been set for February 16, 2015 for election to be held at the Annual Meeting on June 15, 2014. Application is on the website.
- ii. Secretary Galland reported that the cutoff for Application for Clerk of the Year has also been set for February 16, 2015 and that application is also available from the web site.

**b. SECOND VICE PRESIDENT – DENISE SZABO**

- i. Website Update/On-line Mini Conference Registration – 2<sup>nd</sup> Vice President Szabo reported that there is a proposal, in the material provided for this meeting, to move to an on-line registration procedure for mini-conference registration.

The procedure will follow the same methodology currently used for our membership, conference and LDF registration. There is separation of duties along with shared responsibilities between the professional development committee, treasurer, 2<sup>nd</sup> Vice President, President and Executive Director.

The program will automatically check membership status when registering for a mini-conference to assure proper billing. CEU certificates will not be issued unless membership and conference fees are current. Late fees and cancellation fees will be applied as appropriate.

It is proposed to implement this registration program in 2015 and it was further suggested that a test be conducted whereby members of the Executive Board can go on line and register for a test mini-conference to confirm that the new procedure is working as designed.

It was agreed that the approval of the process as well as late fees shall be discussed further and approved at the September Advisory Board Meeting.

Executive Board Members were reminded that material for these meetings are posted on Google Drive and need to be reviewed prior to the meeting.

- ii. On-Line Banking – Executive Director reported that he and the 2<sup>nd</sup> Vice President have been working together for the past two months with the TD Bank on-line banking and Quick Books. The former is going well and the latter is a little more difficult, but progress is being made. The Executive Director stated that he is pleased with the decision to have these responsibilities assigned to him and feels comfortable with the assignment.

**c. FIRST VICE PRESIDENT – KEITH KAZMARK**

1<sup>st</sup> Vice President Kazmark reported the program for the League of Municipalities is set and is as follows:

**TUESDAY, NOVEMBER 18, 2014**

**10:00 a.m. -- 12:00 p.m. -- Room 402 -- Atlantic City Convention Center**

**WORDS OF WELCOME:**

JOANNE R. LAMBUSTA, CTC, President, TCTANJ  
JASON GLABLOFF, CMFO, President, GFOANJ

**JOINT SESSION WITH THE MUNICIPAL CLERKS' ASSOCIATION, GOVERNMENT FINANCE OFFICERS ASSOCIATION, THE TAX COLLECTORS AND TREASURERS ASSOCIATION AND THE ASSOCIATION OF MUNICIPAL ASSESSORS:  
LEGISLATIVE UPDATE**

**2 Contact Hours for CTC - Legislation; CMFO/CCFO - Office Management and Ancillary Subjects; RMC - Professional Development, CTA – Property Administration; CPA/RMA – Business Law and RPPO/RPPS, QPA – Office Administration/General Duties.**

**Speakers:** BONNIE A. FLEMING, CTC/CMFO  
TCTANJ Legislative Chairperson  
KEITH A. BONCHI, Esq., TCTANJ Legal Counsel  
LORI BUCKELEW, Senior Legislative Analyst,  
New Jersey State League of Municipalities  
SHARON BRIENZA, Municipal Clerk, Branchburg, RMC, Clerk

**“ABC EXCEPTIONS”**

**2:00 p.m. – 3:40 p.m. – Room 414 – Atlantic City Convention Center**

We all know what BYOB stands for, but do you know what a beer garden is or brew pubs or a transient license? Did you know there is a difference between a rum cooler and a wine cooler and a tied sale and a combination sale? This session will discuss odd laws and rules and regulations.  
**(Contact Hours: RMC 2.0 -- Licensing)**

**Speaker:** LISA ELLISON BARATA  
Deputy Attorney General, Division of Alcoholic Beverage Control

**WEDNESDAY, NOVEMBER 19, 2014**

**“WHAT’S HOT IN THE WORLD OF NJ ELECTIONS”**

**9:00 a.m. – 10:40 a.m. – Room 418 – Atlantic City Convention Center**

What's the future of the option of registering to vote on a computer, smartphone or tablet? What are some of the issues with county committee petitions and how best to resolve them? This session will include an engaging discussion of elections concerns with an expert in NJ election law.

**(Contact Hours: RMC 2.0 -- Elections)**

**Speaker:** DONNA KELLY Assistant Attorney General, New Jersey Department of Law and Public Safety

**“THE QUEST FOR GOVERNMENT INTEGRITY”**

**2:00 p.m. – 3:40 p.m. – Room 418 – Atlantic City Convention Center**

Attendees will learn about circumstances that lead to ethical lapses in judgment and ethics violation, restrictions and nepotism. The attendees will be challenged to make behavioral changes that enhance the ethical climate in the work place and to have the courage to take positive corrective action where misconduct is observed or perceived.

**(Contact Hours: CMFO/CCFO, CTC, CPWM, QPA, RMC 2.0 -- Ethics)**

**Speaker** DAVID NENNO, Local Finance Board -- Retired

**THURSDAY, NOVEMBER 20, 2014**

**OPRA AND PRIVACY – PERFECT TOGETHER**

10:45 a.m. – 12 noon. – Room 303 – Atlantic City Convention Center

**Speaker:** William Kern

**A REVIEW OF THE OPEN PUBLIC RECORDS ACT**

(League Joint Session with Municipal Clerks' Association of New Jersey)

2:00 p.m. – 3:40 p.m. – Room 418 – Atlantic City Convention Center

This session will assist local government employees, governing bodies, departments, boards and commissions to better understand the mandatory requirements of the Open Public Records Act, as well as recent rulings by the Government Records Council and New Jersey Superior Court that affect the disclosure of government records.

Presiding: John E. McCormac, Mayor, Woodbridge

Speaker: Dawn R. SanFilippo, Senior Counsel, New Jersey Government Records Council, State Department of Community Affairs

President Mitch requested that the 1<sup>st</sup> Vice President put together an e-blast, and posted on the website, to inform the membership of the various training opportunities for the upcoming months.

At this time Immediate Past President Saffos and Treasurer Zawadski joined the meeting 10:47 am.

d. PRESIDENT JOHN MITCH

i. Rutgers' New Program Coordinator: Laura Flagg

President Mitch welcomed Laura Flagg and Alan Zalkind.

Mr. Zalkind introduced Ms. Laura Flagg as the key person with whom the MCANJ will be interfacing with from Rutgers. Mr. Zalkind stated that we have consistent challenges to face, which include: how to improve IIMC courses; and to look at the Municipal Clerks classes to determine how they can be improved, expanded, and modified as necessary. Mr. Zalkind provided an overview of the accomplishments of the program and the need to consistently improve by adding new instructors and locations.

A lengthy discussion followed regarding: the qualifications of instructors; old law vs. new law, taught and tested; pass rate of the state exam; state exam question consistency; required instructor retirement following retirement from active employment; dual-title instructors; and deputy clerk instructors.

Ms. Flagg reconfirmed that Rutgers is the hiring authority for instructors to teach the municipal clerk classes and that there needs to be a clear distinction between the roles and responsibilities of the Association's Education Committee and that of the Rutgers Committee. Ms. Flagg stated that she is now calling the Rutgers group the Educational Advisory Board in order to provide clear distinction between the two groups. The Rutgers Advisory Board will be looking at instructor hiring criteria; evaluate applicants for the program; course content (book material vs. revisions); semi-annual meetings with the two committees previously identified; IIMC classes; update the study guide (Desk Reference) and to evolve the Rutgers Advisory Board with representation from MCANJ, DCA, Rutgers and instructors, which will result in a representative sampling of all parties involved.

2<sup>nd</sup> Vice President Szabo suggested that Rutgers' strongly consider sponsoring IIMC courses via webinars or on-line courses. Ms. Flagg stated she is open to the suggestion as it is a useful tool to reach more people.

Ms. Flagg stated that she has been working with IIMC to have IIMC recognize, which has been approved as of January 1, 2015, the hours accumulated while attending the RMC courses count as hours toward CMC certification. By attending all of the courses one can achieve 47 points toward the CMC certification. This is a great encouragement for our members to achieve CMC certification.

Ms. Flagg stated that she desires to put a story in The Quill regarding a survey of the membership regarding membership interests. 1<sup>st</sup> Vice President Kazmark suggested that Ms. Flagg put together a short column and President Mitch stated that his column for the upcoming edition has been written and includes Ms. Flagg's introduction and appointment.

Having no further items for discussion, President Mitch thanked Mr. Zalkind and Ms. Flagg for attending the meeting.

ii. Officer's job responsibilities updates.

President Mitch reported that the purpose behind this work effort is to create and update each officer's primary responsibilities, and once agreement is achieved the time-line for accomplishing those responsibilities would then be updated. The revised time line is critical since we have now moved from a calendar year cycle to a fiscal year.

At this time the Executive Board reviewed each officer's primary responsibilities, which were thoroughly vetted with additions, deletions and corrections made as required and this revised document is available on Google Drive.

Upon motion made by President Mitch, seconded by 2<sup>nd</sup> Vice President Szabo, and unanimously passed on voice vote, the primary job responsibilities of the Secretary were approved.

Upon motion made by Immediate Past President Saffos, seconded by Secretary Galland, and unanimously passed on voice vote, the primary job responsibilities of the 2<sup>nd</sup> Vice President were approved.

Upon motion made by 1<sup>st</sup> Vice President Kazmark, seconded by Immediate Past President Saffos, and unanimously passed on voice vote, the primary job responsibilities of the 1<sup>st</sup> Vice President were approved.

Upon motion made by Immediate Past President Saffos, seconded by 1<sup>st</sup> Vice President Kazmark, and unanimously

passed on voice vote, the primary job responsibilities of the President were approved.

Upon motion made by 1<sup>st</sup> Vice President Kazmark, seconded by 2<sup>nd</sup> Vice President Szabo, and unanimously passed on voice vote, the primary job responsibilities of the Immediate Past President were approved.

Upon motion made by 1<sup>st</sup> Vice President Kazmark, seconded by Immediate Past President Saffos, and unanimously passed on voice vote, the primary job responsibilities of the Executive Director were approved.

Upon motion made by 1<sup>st</sup> Vice President Kazmark, seconded by Immediate Past President Saffos, and unanimously passed on voice vote, the primary job responsibilities of the Treasurer were approved.

It was agreed, that now that the major responsibilities have been established, it is necessary to review and update the time-lines for these activities for each officer. Each officer is requested to go to Google Drive and accomplish this update. In addition, the Standard Operations Procedure Manual needs to be updated to incorporate the changes made to the list of major responsibilities and the time-line.

iii. NJLM General Consulting Period representative from MCANJ.

President Mitch requested that Secretary Galland represent the Association at the NJLM's Consulting Period at the 99<sup>th</sup> Annual Conference.

iv. April 2014 RMC Exam.

President Mitch reported that the pass rate for the most recent RMC Exam was 33% (14/42).

A lengthy discussion ensued where possible causes of this low pass rate were identified; where data could be collected to further identify subject matter failure; and possible remedies.

v. NJLM's Orientation for the Newly Elected, Re-Elected, or Experienced Official

President Mitch stated that he will be presenting in Eatontown on January 10, 2015, and Secretary Galland will be presenting in Rutherford on February 7, 2015.

e. IMMEDIATE PAST PRESIDENT REPORT – NANCY SAFFOS

Immediate Past President Saffos stated that she went through the Policy Binder and made changes relative to: the change in calendar to fiscal year; elimination of the Annual Meeting at

year's end; and additional changes that in her opinion were required. A copy of the revised document (track changes included) was distributed and all agreed that this would be reviewed prior to the next Executive Board meeting and voted on at same.

f. TREASURER'S REPORT – DINA ZAWADSKI/DENISE SZABO

- i. Treasurer Zawadski reported the Account Balances as August 6, 2014 are as follows:

Operating Account	\$67,053.07
Scholarship Account	\$12,141.50
Raffle Account	\$1,725.00

In addition, there is a Certificate of Deposit in the amount of \$104,837.24.

Upon motion made by 1<sup>st</sup> Vice President Kazmark, seconded by Immediate Past President Saffos, and unanimously passed on voice vote, the Treasurer's report was accepted.

- ii. Treasurer Zawadski reported the General Ledger and the Profit & Loss Budget vs. Actual documents were provided via Google Drive.

2<sup>nd</sup> Vice President Szabo stated that all of the information contained in these documents will be discussed when the 2015 proposed budget is discussed later in the meeting.

- iii. Financial Statements received for 1/1/14 – 3/31/14

2<sup>nd</sup> Vice President Szabo stated that these documents are also on Google Drive. President Mitch stated that our Accountant has finalized the financial documents for the first three months of 2014 as well as for fiscal year ending June 2014.

President Mitch stated that the Accountant has assured him that the Association is good financial shape and that there will be no negative financial impact from moving to a fiscal year, as the majority of the revenue will be realized in the second half of the 2014-15 fiscal year.

Upon motion made by 2<sup>nd</sup> Vice President Szabo, seconded by 1<sup>st</sup> Vice President Kazmark, and unanimously passed on voice vote, the Accountant's Report for the first six months of 2014 was accepted.

President Mitch asked if the Accountant's bill for this work effort had been paid, and 2<sup>nd</sup> Vice President's Szabo's response was that the Executive Director will be paying the bill shortly.

iv. FY2015 Budget.

A copy of the proposed FY 2015 was distributed and President Mitch asked if there were any questions regarding same.

Executive Director Popkin stated that the budget is based on this year's expenditures tempered by the fact that the previous budget is taking the Association through an eighteen month period.

Executive Director Popkin reviewed the budget, identified the projected expenses, projected revenue, surplus and potential shortfall. He further explained that the shortfall is not a concern for two reasons. First, there are projected expenses that probably will not be incurred, and second, even if the shortfall should occur, the Association has more than sufficient cash reserve to cover this paper shortfall.

2<sup>nd</sup> Vice President Szabo suggested that we add funds to the budget to purchase a new computer that has been budgeted for in the past and never purchased. This is a necessary expenditure as the use of this computer will now be for the Executive Director to fulfill his new treasury functions. 1<sup>st</sup> Vice President Kazmark suggested that \$2,000 be added to the "Office Supply" line for the purchase. \$2,000 was added to the line item.

Executive Director Popkin suggested that we add funds to the budget to purchase a new booth, another item previously budgeted for in the past and not purchased. The recommendation is to increase the "MCANJ Booth" line by \$2,000.00. \$2,000.00 was added.

Further discussion followed regarding various budget line items amongst the officers, including changing line item descriptions to more accurately reflect the change in Annual Meeting date and other events.

After a through vetting of the budget, a motion was made by 2<sup>nd</sup> Vice President Szabo, seconded by 1<sup>st</sup> Vice President Kazmark and unanimously passed on voice vote, the 2014-15 FY Budget was adopted.

v. Membership Report – as of August 8, 2014, there are 725 Members in the Association, with a break-down as follows:

<b>CATEGORY</b>	<b>TOTAL</b>
Full – Municipal Clerk	442
Affiliate – All Others	25
Honorary Membership (Retired)	45
Full – Clerk of Freeholder Board	2
Associate – Assistant Municipal Clerk	20

Associate – Deputy Municipal Clerk	172
Full – Acting Municipal Clerk	16
Associate – Deputy County Clerk	1
Full- County Clerk	2
GRAND TOTAL	725

President Mitch and Treasurer Zawadski discussed the need to focus on those members who have registered, but not paid; as well as clerks who have not joined at all this year. President Mitch requested a listing of those members so that he can reach out to them and encourage payment and participation.

Immediate Past President Saffos raised the issue regarding who owns title to the Association’s membership, the municipality or the individual. Currently it is the Association’s position that the membership is the property of the municipality. Further discussion was deferred to the next Executive Board meeting.

g. EXECUTIVE DIRECTOR –JOEL POPKIN

i. Selection of New Booth

The Executive Director provided pictures of three different style 10’ x 10’ pop-up booths. The first being all fabric whereby pictures can be hung using Velcro; the second an all graphic display, which would in effect be a “permanent” display; and third a combination of the two. Two different style carrying cases are being considered, one that converts to a podium and the second converts to a table. The booth would also have lighting across the top.

After a lengthy discussion the Executive Director was directed to purchase a booth with: a backlit header; graphic display in the middle; and fabric material on the sides. The case shall be a soft carrying case if possible, as it was determined by the majority that there is no need for a podium or table.

A motion was made by 2<sup>nd</sup> Vice President Szabo, seconded by 1<sup>st</sup> Vice President Kazmark, to authorize the Executive Director to purchase the agreed upon designed booth in an amount not to exceed of \$2,000.00.

After further discussion regarding what could actually be purchased for the \$2,000.00, the original motion was withdrawn. Upon motion by 2<sup>nd</sup> Vice President Szabo, and seconded by President Mitch, the amount not to exceed was increased to \$2,500.00 and passed on voice vote (1<sup>st</sup> Vice President had withdrawn from the meeting), with Immediate Past President Saffos abstaining.

ii. Legal Defense Fund

- a. Financial Update: Certificates of Deposit - \$87,102.99; Money Market Checking Account - \$39,409.83; total \$126,512.82.
- b. Membership – 259 members, still addressing some registered members who have yet to pay. Recommended that one final notice be sent with a cutoff date and remove the applicant if membership is not paid by the cutoff date.
- c. Proposed Amendments to the By-Laws – a draft of the proposed amendments were distributed to the Board. The Executive Director reviewed the proposed changes which incorporate some of the things that were done last year, but not codified, and changes for this year. The draft was left with the Board members for further review and possible vote at the next meeting.
- d. GRC Representation and County Clerks – The Executive Director relayed a request where a clerk was scheduled to appear before the GRC and that clerk’s attorney was unavailable to attend the hearing. The request was would the LDF provide legal representation in the absence of the clerk’s attorney. The Executive Director’s response was that historically this service was not covered by the LDF.

iii. Focus Group Meeting

The Executive Director provided a copy of the group’s minutes from their July 1, 2014 meeting. The purpose of the focus group is to identify the critical leadership behaviors that differentiate superior vs. good performance of Clerks. The mission is to generate a document that governing bodies could use to identify a highly qualified candidate for the position of Municipal Clerk.

- iv. Training for On-Line Banking and Quick Reports – already reported.
- v. Quill Advertisers – there are two advertisers whose advertisements were placed in The Quill without payment. They will be removed going forward.
- vi. Google – MCANJ – How to Change Address and Phone Numbers

The Executive Director stated that if an individual “googles” MCANJ an old listing to the previous Executive Director’s address and phone number is revealed and he wondered if this listing can be removed or adjusted. 2<sup>nd</sup> Vice President Szabo volunteered to contact the website vendor to correct the situation.

vii. Meeting with Laura Flagg from Rutgers – July 18<sup>th</sup>

As reported, the Executive Director met with Ms. Flagg and provided an overview of the Association and our planned activities.

viii. League of Municipalities

The Executive Director recommended that there be at least one constant person at the booth at all times. As the Director will have reduced responsibilities during the convention now that the Annual Meeting has been moved to the Education Conference, he stated that that one constant could be him. There was further discussion regarding having retirees at the booth which would require housing. It was agreed that two volunteer and the Executive Director could cover the booth supported by active clerks. It was agreed that the Association will pay for one night's housing for each of the two retiree volunteers. Housing will be provided for the Executive Director for three nights.

“To Do” pads have been received as hand-outs and are in storage. The Association will cover the registration for the Association's Attorney, if requested, and no rooms will be reserved for Executive Board members.

All logistics for the booth will be finalized in the near future and the League's memo regarding the recording of CEUs at the conference has been posted on the website.

ix. Meeting with Kevin Watsey of NJ American Water

The Executive Director stated that he met with Mr. Watsey, the state representative of NJ American Water, regarding a contribution for the Education Conference. Mr. Watsey stated that he will research the possibility of taking a booth. Further, Mr. Watsey requested that the Association support Assembly Bill 2893, which would eliminate the need for Certification of Vouchers for all utilities. It was agreed, that the bill would be reviewed and if appropriate support is warranted, an email blast can be sent to the Clerk's seeking support.

x. Request from Perry Schwartz

The Executive Director stated that there is a request from the Garden State Employment and Training Association to have a flyer posted on the Association's website regarding their 2014 Annual Conference with CEU courses approved. Discussion followed regarding the posting of for-profit vs. not-for-profit requests on the website. It was agreed that this particular posting should not be posted and President Mitch stated that he would reach out to the web master to assure that all approvals for posting on the website go through his office.

xi. Manual Update

The Executive Director requested confirmation that the Executive Board received the latest request for updates. It was confirmed that the request was received. The Executive Director requested that receipt confirmation be sent to assure that the request was received.

xii. Storage Bid

The Executive Director stated that the contract has been renewed for another year.

6. UPDATES

- i. MCANJ President or representative on GRC.
- ii. OPRA/OPMA
- iii. Common Sense Shared Services

President Mitch reported that there are no updates on any of the above referenced matters.

7. UPCOMING DATES

- i. 2014 RMC Certification Exam October 15, 2014.
- ii. Advisory Board Meeting, September 19, 2014.
- iii. Executive Board Meeting, October 24, 2014.
- iv. Advisory Board Meeting, December 12, 2014.
- v. IIMC Region II Meeting, January 14-16, 2015.
- vi. Executive Board Meeting, January 23, 2015.
- vii. Advisory Board Meeting, March 13, 2015.
- viii. Executive Board Meeting, April 24, 2015.
- ix. Annual Meeting, June 15, 2015.

There was discussion regarding holding the Transition Meeting on the last day of the Education Conference. No decision was made regarding this matter, further discussion and information will follow.

8. ADJOURNMENT

Motion made by Treasurer Zawadski, seconded by 2<sup>nd</sup> Vice President Szabo and unanimously passed by voice vote at 2:54 PM.

Respectfully submitted by:

Kevin Galland, MCANJ Secretary