VOL. 57, NO. 1 WWW.NJCLERKS.ORG JANUARY 2009

MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.

STATE OF THE ASSOCIATION by Heather Mailander, 2008 President



Good morning. As I stand here before you, as the President of the Municipal Clerks' Association of New Jersey, I want to let you know how wonderful this year has been for me, and how proud I am of this Association. It has been a year filled with many "firsts." In February, all of us, as Municipal Clerks, ran our first Presidential Primary Election. We were fortunate to have no snow on Election Day, and although the NJ Legislators decreed that New Jersey's Presidential Primary Election would be held early in order to have a say in who the Presidential candidates were going to be, it turned out that in the case of the Democratic side of the ticket, New Jersey would have had more of a say if the Presidential Primary Election had been held in June! We also all played an important role at the local level earlier this month in an historic Presidential election, where the first African American President was elected by a record number of voters.

Last year, as I stood before you as the President-Elect, I indicated that I wanted all of us to focus on the fact that education is the key to our success. This was the theme of our Annual Education Conference that was held in April. For the first time, we offered a session on Monday of the conference, which was so well

received, that we will continue to hold a Monday session at the Education conference in 2009. We had Dr. Susan Dellinger speak to us about "PsychoGeometrics" and how the personality shape we are determines how we can best interact with people in our personal and professional lives. In addition, we heard from New Jersey's US State Attorney, Christopher Christie, who gave an inspiring speech to a packed audience. We held a silent auction and a clothing sale, which raised the most money to date for scholarships for our members to attend certification classes. We had 295 people attend the conference, providing them with educational opportunities and keys to their personal and professional success.

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LOOKING AHEAD TO 2009 by Joan Moreland, as presented on November 19, 2008 at the Annual Business Meeting of the Municipal Clerks Association of New Jersey in Atlantic City.

Good Morning! In the words of George Burns, "The secret of a good speech is to have a good beginning and a good ending, and to have the two as close together as possible." This 4-year trip to the Presidency has been a wonderful experience! I've met many people that I probably would not have had the opportunity to meet if I had just continued to attend conferences, took notes and went home! Getting involved in MCANJ is the best move I've made in my 22 years as a Municipal Clerk. It has made me a stronger, more confident person and given me the knowledge I can use on a daily basis.

I encourage each and everyone of you to do the same by getting involved with the many committees that work year-long, keeping you up to date on new laws, updating your Desk Reference, our website, arranging the annual education conference, mini conferences and legal defense support, just to name a few. If there is a committee that you feel you would like to be part of, please let me know. I would love to hear from you.



Continued on Page 3

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 2008** 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 1975*Alfred A. Reda 1977*Otto M. Bock 1978*Norma B. Sisco 1981*L. Manuel Hirshblond 1983*James F. O'Keefe 1985*Elizabeth G. Nolan 1987*Lewis N. Thompson 1988*Elaine Wallace 1992*Barbara A. Camp 1993*John J. Galvin 1994*Kathleen A. Thorpe 1995*Christina N. Wilder 1996*Joseph C. Favaro 1997*Elizabeth H. Kiss 1998*Lynn Stanzlaus 1999*Bernadette Dubuss 2000*Nancy Hatten 2001*Sharon L. Brienza 2002*Bernadette Standowski 2003*Allan Susen 2004*Joel Popkin 2005*Jane Williams-Warren 2006*Elaine B. Kennedy 2007*Barbara M. Hawk 2008*Heather Mailander

ADVISORY BOARD MEMBERS

Gail Macera, Folsom Borough Atlantic: 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 Robert Byrne, Jersey City Hudson: Cecilia Covino, Town of Clinton Hunterdon: Mercer: Sharon Young, West Windsor Township Middlesex: John Mitch, Woodbridge Township Barbara L. Bascom, Upper Freehold Township Monmouth: Sheila Seifert, Rockaway Township Morris: Ocean: Bette Mastropasqua, Beachwood Borough Passaic: Jane Williams-Warren, Paterson City Salem: Maureen Abdill, Pilesgrove Township Ann Marie McCarthy, Franklin Township Somerset: Lorraine Stark, Hopatcong Borough Sussex: Kathleen Wisniewski, Springfield Township Union: Warren: Teresa DeMont, Belvidere Town

MUNICIPAL CLERK CERTIFICATION EXAMINATION

The Division of Local Government Services has sent the following information for all persons interested in taking the Municipal Clerk Certification Examination this Spring:

Thursday, April 16, 2009 is the date of the next examination for certification as a Registered Municipal Clerk. The exam will be given at Thomas Edison State College in Prudence Hall, located in Trenton, New Jersey and directions will be provided upon acceptance of your application.

Applicants must meet the following requirements:

- 1. Be 21 years of age or older at time of examination.
- 2. Be a citizen of the United States.
- 3. Be of good moral character.
- 4. Be a high school graduate or have received an equivalency diploma.
- 5. Have completed at least two (2) years of higher education or have equal full-time public work experience performing duties relative to those of a Municipal Clerk. If qualifying on the basis of experience, the work must be with a county or municipal government. Also, the law allows for a combination of the education and experience that equals two years, not just two years of one or the other.
- 6. Have completed, successfully, the following courses from Rutgers or similar courses offered at a college certified by the NJ Dept. of Education:
 - Introduction to the Duties of Municipal Clerk
 - Advanced Duties of the Municipal Clerk
 - Local Election Administration
 - Information and Records Management
 - Municipal Finance Administration for Municipal Clerks

Application forms and additional information are available from the New Jersey Department of Community Affairs, Division of Local Government Services, Certification Unit, P.O. Box 803, Trenton, NJ 08625-0803, or by calling (609) 633-6349. Applications can also be downloaded from the DLGS website at:

www.nj.gov/dca/lgs

Completed applications, together with the application fee of \$50, made payable to the State Treasurer, must be received by the Division **postmarked** no later than **March 17, 2009.**

PLEASE NOTE:

The New Jersey Department of Community Affairs maintains strict adherence to the application deadline! In the past, some students have lost their window of opportunity for taking the exam because of a failure to take this deadline seriously. The March 17, 2009 deadline is not flexible, nor is it open to negotiation or consideration of extenuating circumstances! If your application is not submitted by the deadline date, you will not be able to take the RMC Exam on April 16, 2009.

2009 President's Message: "Looking Ahead" (continued from page 1) By Joan Moreland

In my 21 years of attending MCANJ conferences, I have seen this association grow. Some of you may remember when we moved from Ocean City because our group had outgrown the facilities. We now have 844 members representing Municipal Clerks, Deputy Clerks, County and Freeholder Clerks. I feel that is a tribute to all the Past Presidents and Executive Boards who have worked diligently to keep us up to date with technology and communication. The work that goes on behind the scenes of a conference is absolutely amazing. I feel very fortunate to have been involved in the first conference run totally by MCANJ. It was a bold move on Past President Elaine Kennedy's part, but one she stuck with and saw it through its success. In the end we found we can provide an educational experience with timely topics and keep the registration costs at a minimum.

I would like to thank Past Presidents Barbara Hawk, Elaine Kennedy, Jane Williams-Warren, our current President Heather Mailander and our Administrative Consultant Manny Hirshblond for sharing their guidance while I went through each position on the Executive Board. The Executive Board is a diverse group of individuals who work as one to provide our members with timely information and educational programs. I would also like to thank Jim Doherty for providing us with quality editions of the Quill 4 times a year.

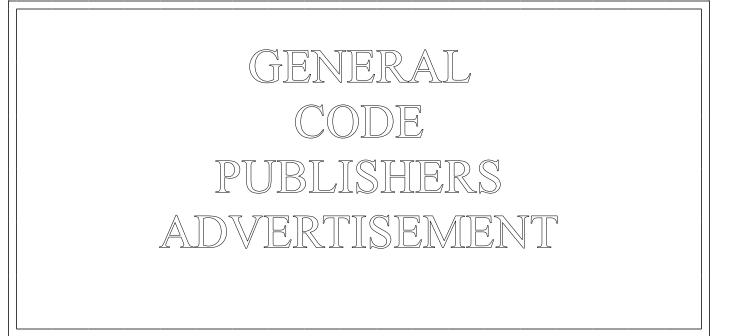
The 2009 Education Conference is scheduled for April 27th – 30th, right here at the Tropicana. Our theme is "INFORMATION IS POWER", and the committee is working very hard to provide an informative, educational program with keynote speakers and networking opportunities for everyone. You should have received the Save the Date card by now.



Dyanne C. Reese, IIMC President, with Incoming MCANJ President Joan Moreland at the Annual Business Meeting

My goal for 2009 is to increase the attendance at the Advisory Board Meetings and having all counties represented. Three of the meetings will be held at the Crowne Plaza Hotel, right off Exit 8A of the NJ Turnpike. I made these arrangements for everyone's traveling convenience. In his 1960 Inaugural Address President John F. Kennedy stated, "Ask not what your country can do for you, but what you can do for your country." I like to think it is the same for our Association – get involved, meet new people and be part of the progress! In closing I would like to say that as 2009 President I will work hard for all the members of this fine association and note that my door is always open to suggestions, questions or concerns.

Joan Moreland, 2009 MCANJ President



AT THE 2008 NJ LEAGUE OF MUNICIPALITIES CONVENTION IN ATLANTIC CITY , THE FOLLOWING INDIVIDUALS WERE RECOGNIZED FOR ACHIEVING THE REGISTERED MUNICIPAL CLERK DESIGNATION:

October 2007 RMC

Carol A. Berlen, Theresa S. Casagrande, Susan E. Connelly, Roy A. Duffield, Laurie E. Gompf, Kathryn P. Harris, Kimberly S. Hodson, Ellen E. Horak, Beth A. Kara, Marion D. Karp, Brian P. O'Reilly, Nancy J. Power, Meredith D. Tomczyk, Jock H. Watkins, Sheila Williams, Barbara L. Young, Patricia A. Zamorski



April 2008 RMC

Lori L. Biermann, Linda S. Buzby, Carole L. D'Amico, Joseph J. Delaney Jr., Beth A. Dupnak, H. Renate Eletab, Toni Falato, Linda C. Forbes, Dianne S. Gallets, Paula F. Geletei, Sherry A. Hartman, Lori A. Harvin, Celeste A. Keen, Gregory L. LaConte, Jeannette M. Larrison, Elizabeth Osbourne, Theresa A. Patino, Olga A. Perez, Helen Pettas, Sherry G. Richards, Joanne M. Siedlecki, Shawna M. Supel, Karen L. Sweeney, Paul J. Tuliano



STATE OF THE ASSOCIATION: Continued From Page 1 Heather Mailander, 2008 MCANJ President



Additional educational opportunities offering Continuing Education Units were offered to our members, at a reasonable price, closer to home through our mini-conferences. There were 5 mini-conferences held, 2 in the South, attended by 55 people; 2 in the Central region, attended by 52 people; and 1 in the North, attended by 45 people, for a total of 152 people who pursued these educational opportunities. We created our first cookbook, with recipes from our members, which will be enjoyed by many. The money raised from the sale of this cookbook will be going to scholarships for our members to pursue educational opportunities.

Today, we are holding our first raffle in many years, because we finally obtained our 501c3 designation, thanks to the countless hours devoted to this endeavor by our Legal Counsel, Tom Segreto. The money raised from this raffle will also go to scholar-ships for our members to pursue their certifications.

One of our most exciting firsts was announced about ten days ago. This is the first time in many decades that the State of New Jersey will be hosting an IIMC Conference in Atlantic City in May, 2013. This will allow each and every Municipal Clerk in the State of New Jersey to be able to experience an IIMC conference close to home, while still being able to obtain CEUs. Make plans now to volunteer to help out as well as attend this memorable event. I am also pleased to announce today another first, which is that the MCANJ Executive Board has agreed with my recommendation to establish a scholarship program which will allow our members, their spouses, their children, and their grandchildren to apply for scholarships for higher education. There will be more information about these scholarships and the competitive application process in 2009.

During my years on the Executive Board, I have learned something from each President who served before me. Allan Susen taught me how to summarize a discussion in order to reach a final decision, and how to run an efficient meeting. From Joel Popkin, I learned the art of list making and ultimate organization. Jane Williams-Warren taught me that MCANJ must be run as a business, and that there are certain costs that must be borne by MCANJ in order to move forward. In addition, she taught me how to be the ultimate hostess, and make people feel appreciated for the work that they do. From Elaine Kennedy I learned about grace under fire, and being able to put my best foot forward, despite hardships that may come my way. And finally, from Barbara Hawk, I learned how to remain calm, and have a positive attitude in all that I do. I want to thank the present Executive Board, who I haven't mentioned: Joan Moreland, Vinny Buttiglieri, Joanne Kwasniewski, and Drew Pavlica. You have been the best team that any President of MCANJ could hope for, and you have been there to give me your opinions and to guide me through all of the decisions that we have made this year. Finally, I want to recognize and thank Manny Hirshblond, our Administrative Consultant, for the behind the scenes work that he does for the MCANJ, without fanfare, because of his love for this Association. His guidance and voice of experience are exceptional, and will be missed when he retires from serving MCANJ.

I look forward to continuing to serve the MCANJ as the Immediate Past President next year, and to welcoming a new Secretary to the Executive Board with her new ideas. As I stated before, the MCANJ has accomplished a lot this past year, with many "firsts." In order for this Association to continue moving forward and continue creating new "firsts," we need you, the many members of MCANJ, to become involved, even if it is your first time doing so. Volunteer for a committee or help out at a conference. The time you put in will benefit not only the Association, but you as well.

In closing, I want to thank all of you for allowing me the tremendous honor and opportunity of serving as your President for the past year. It has been a year of memorable "firsts," and something which will live in my memory for the rest of my life.

Thank you!

PEOPLE PAGE

by Sharon Brienza

NEWS FROM MORRIS COUNTY

Five members of the Municipal Clerks' Association of Morris County visited Congressman Rodney P. Frelinghuysen, 11th District, at his office in Washington, DC this past September. While there, the Municipal Clerks made every moment count towards capturing "Clerk" educational opportunities. The Congressman was able to arrange a visit to the White House, the National Archives, the Library of Congress and the US Capital building. He was extremely accommodating and urged more Municipal Clerks come to Washington to see Congress in action, depicting upper level government that a Municipal Clerk would find insightful to the profession.



Pictured from left to right are: Carol Talerico, Riverdale Borough, Lydia Magnotti, Jefferson Township, Congress Frelinghuysen; Cindy Oravits, Town of Boonton, Dolores Dalassandro, Netcong Borough and Cindy Sloane, Lincoln Park Borough.

WOODBRIDGE TOWNSHIP

John Mitch (Woodbridge) has been asked by one of the local newspapers to write a monthly column in an effort to educate the public about items most of us take for granted that many residents may not necessarily understand. He just finished writing about the requirements of snow removal and will try to time the column each month as events approach. He hopes that in due time it will have a positive effect.

WELCOME NEW MUNICIPAL CLERKS

Sherry Hartman from Beach Haven, Ocean County.

CONDOLENCES

To Sharon Brienza on the recent death of her sister-in-law (her brother's wife) after a 20+ year battle with MS.

To Bette Mastropasqua on the recent death of her sister after battling breast cancer. Bette shared a story about her sister's last days when she came back to NJ from Florida for her HS reunion and invited all her family and friends. Unfortunately, she was too sick to make it to the ballroom so about 100 people went up to her room. She was admitted to the hospital the next day and died shortly after. As Bette said, "She did it her way."

Our condolences to all.

CONGRATULATIONS

At the October 28, 2008, League of Municipalities Legislative Committee meeting, Sharon Brienza was presented with a plaque from League Counsel Bill Kearns. Bill said that Sharon "is one of those people who always says yes and has finally realized that she cannot do everything in a 24 hour day so unfortunately, she has had to resign from this Committee." The plaque thanked her for her substantial contributions made over many years to the improvement of the institution of municipal government in New Jersey.

Congratulations to Leigh Ann Napoli, City Clerk of Linwood (Atlantic County) and her family on the birth of her son on October 15, 2008.

MERCER & MIDDLESEX COUNTIES

The Mercer & Middlesex County Clerk's Associations walked as a team in the Susan G. Komen Race for the Cure Co-ed Fun Walk to raise money for breast cancer. The walk took place



on Sunday, October 5, 2008 at Six Flags Great Adventure in Jackson. Team members included Team Captain Michele Auletta (Robbinsville Township), Kathy Cunningham (Cranbury Township), Leona Baylor (Hightstown Borough), Barbara Nyitrai (South Brunswick Township), Brishelle Sanders, Mick Seigfried, Florence Auletta, Mindy Scudder, Abby Scudder, and Gabe Scudder. They hope others will join them next year for this worthy cause. Congratulations ladies—great job for a great cause!



The Sussex County Clerks Association celebrated its Annual Christmas Party at the Lafayette House on December 5, 2008.

PEOPLE PAGE, Continued

by Sharon Brienza

RETIREE NEWS

On November 8, about 200 people gathered at the Jumping Brook Country Club to honor Joel Popkin on his retirement. Several people bestowed honors on Joel for his contributions to Neptune City, but the most poignant moment had to be when Mayor Arnone announced the Recreation Pavilion would be renamed the "Joel Popkin" Pavilion. No one can figure out how this was kept a secret from Joel since he is involved in everything!



MCANJ President Heather Mailander presented Joel

with a gift from the Association and also announced that Joel will be the MCANJ Administrative Consultant when Manny Hirshblond retires at the end of 2009.

Another reason to celebrate at the party was when Chris Wilder received "the call" that New Jersey was awarded the 2013 IIMC Conference. The Committee got a little jubilant and Joel had to explain to the crowd why they were cheering during someone's speech!



Celebrating the award of the 2013 IIMC Conference to New Jersey with the "Jersey" cocktail created by Rich Brienza.

Theresa Tamburro, recently retired Municipal Clerk from Blairstown (Warren County), has been appointed by the Blairstown Committee as their Housing Administrator to handle their COAH activity. Theresa is learning a lot about COAH and is sure contacts for affordable housing will increase substantially once their plan is approved by COAH. Good luck in your new position!

Retirees spotted at the Annual Meeting in Atlantic City included:

- Joe Favaro, (Englewood Cliffs) who spent three weeks touring Africa in August. I'm sure we would all love to see a picture of Joe riding an elephant!
- Chris Wilder (Hamilton Township) who will be busy as Co-Chair of the 2013 IIMC Conference Committee.
- Barbara Camp (Upper Township), now serving in her second term as Upper Township Councilwoman.
- Theresa Tighe (Sea Isle City) who was sharing pictures from her wonderful retirement party.
- Doris Polidore, (Garwood) who lives 45 minutes away from Atlantic City and frequents AC often for other activities.

Retirement obviously agrees with all of them!

REMEMBERING MILLIE: A LIFETIME OF SERVICE

Mildred (Millie) C. Bird, of Bloomingdale, formerly of Greenwood Lake, NY, passed away on November 26, 2008. Millie worked for the Borough of Bloomingdale for twenty-nine years. Starting as Registrar of Vital Statistics and Secretary to the Board of Health out of

her home in 1963, in 1966 she became the first Bloomingdale Borough Clerk to have an office outside of a home, in the old municipal building. In 1968, Millie was one of 101 Municipal Clerks from throughout the United States and Canada who volunteered to participate in a pilot, three-year college level course specifically for Municipal Clerks. This pilot resulted in the Certified Municipal Clerks



title (CMC) through the auspices of the International Municipal Clerks Association.

In addition to serving as President of the Municipal Clerks Association of New Jersey, Millie served as President of the Passaic County Clerks Association. Upon serving as Borough Clerk twenty-five years and becoming State Association President, two Congressional tributes were placed in the records of the 102nd Congress. The Passaic County Board of Chosen Freeholders named a Mildred C. Bird day, in recognition of her work for the citizens of the County.

Those wishing to may make memorial contributions to the Bloomingdale United Methodist Church, Bloomingdale Volunteer Fire Department, Tri-Boro First Aid Squad or Butler Tri-Boro Rotary Club.

2009 MCANJ Committees by President Joan Moreland

CONSTITUTION AND BYLAWS

David Hughes, Chair, Summit City / 908-273-6400 Nancy Hatten, Tenafly Boro / 201-568-6100 John Mitch, Woodbridge Twp./732-634-4500 x 6404 Ian Shore, Paramus, Boro / 201-265-2100 Harold Wiener, Chair, Irvington Twp. / 973-399-8111 Ann Marie McCarthy, Franklin Twp./732-873-2500 x 211

EDUCATION

MCANJ President's Appointments

Allan Susen, Chair, Haledon Borough/973-595-7766 x103 Sharon Young, West Windsor Twp./609-799-2400 Diane Pflugfelder, BethlehemTwp./908-735-4107 Jane Williams-Warren, City of Paterson/973-321-1310 Barbara Bascom, Upper Freehold Twp./609-758-7738 Liaison Manual Review: Lori Buckelew, Lambertville/609-397-0110 Rutgers Appointments

Linda S. Wanat, Montclair Twp. / 973-509-4900 Elaine Jasko, Perth Amboy City / 732-826-0290 John Mitch, Woodbridge Twp./732-634-4500 x 6404 Louise Palagano, Bloomfield Twp./973-680-4000 Patricia Frontino, Glassboro Borough/856-881-9230

EDUCATION CONFERENCE

Joel Popkin, Co-Chair, Neptune City Borough/732-776-7224 Elaine Kennedy, Co-Chair, Eagleswood Twp./609-296-3040 Heather Mailander, Ridgewood Village/201-670-5500 x201 Joan Moreland, Haddon Heights Borough/856-547-7164 Vincent Buttiglieri, Ocean Township/732-531-5000 ext.321 Joanne Kwasniewski, Fair Lawn Borough/201-794-5340 Andrew Pavlica, Garfield City/973-340-2001 Nancy Saffos, Cherry Hill Township/856-665-6500 Barbara Hawk, Laurel Springs Borough/ 856-784-0500 Deanna Speck, Haddonfield Borough/856-429-4700 Elizabeth Mastropasqua, Beachwood Borough/732-286-6000 Bernadette Standowski, Lakewood Township/732-364-2500 Diane Pflugfelder, Bethlehem Township/908-735-4107 Kathleen Wisniewski, Springfield Twp./973-912-2200 Patricia Frontino, Glassboro Borough/856-881-9230 Al Reda, Retired

Administrative Consultant: L. Manuel Hirschblond Welcome Committee:

Rosemary Adams, Atlantic City/609-347-5300

<u>Mini Conferences – 2 Spring, 2 Fall</u> <u>& Professional Development</u> North

Laura Graham, Oradell Borough/201-261-8200 x246 Diane Pflugfelder, Bethlehem Twp./908-735-4107 **Central**

Sharon Young, West Windsor Twp./609-799-2400 Patricia Hunt, Moorestown Twp./856-235-0912

South

Debora Pine, Elk Twp./856-881-6525

Patricia Frontino, Glassboro Borough/856-9230 x116 Committee Members

David Maffei, Pt. Pleasant Borough/732-531-9633 Ann Marie McCarthy, Franklin Twp./732-873-2500 x211 Bernadette Park, Stafford Twp./609-597-1000 Jim Rogers, Deal Borough/732-531-9633

ELECTIONS

Jane Williams-Warren, Co-Chair, Paterson City/973-321-1310 Barbara Bascom, Co-Chair, Upper Freehold Twp./609-758-7738 Bonnie Leonetti, Long Beach Twp./609-361-1000 Deanna Speck, Haddonfield Borough/856-429-4700 x204 Amada Curling, Passaic City/973-365-5500

FINANCE

Drew Pavlica, Garfield City/973-340-2001 Joanne Kwasniewski, Fair Lawn Borough/201-794-5340 L. Manuel Hirshblond, Administrative Consultant/732-349-1348 Ferraioli, Wielkotz, Cerullo & Cuva – Auditors

FUNDRAISING

Kathleen Wisniewski, Co-Chair, Springfield Twp./973-912-2000 Rose Marie Saracino, Co-Chair, Old Bridge Twp./732-721-5600 Adeline Hanna, Midland Park Borough/201-445-3844 Joan Moreland, Haddon Heights Borough/856-547-7164 Barbara Hawk, Laurel Springs Borough/856-784-0500 Stella Ward, Old Bridge Twp./732-721-5600 Doreen Cali, Roselle Park Borough/908-245-6222 Carol Shapner, Retired/856-293-7421

INFORMATION TECHNOLOGY/WEB PAGE

Bette Mastropasqua, Chair, Beachwood Borough/732-286-6000 Vincent Buttiglieri, Liaison, Ocean Township/732-531-5000 Sharon Brienza, Branchburg Twp./908-526-1300 Daina Dale, Harvey Cedars Borough/609-494-2335 Nancy Hatten, Tenafly Borough/201-586-6100 Elesha Johnson, Camden City/856-757-7000

LEGAL DEFENSE FUND

Sharon Brienza, (10) Chair, Branchburg Twp./908-526-1300 North

Nancy Hatten (10) Tenafly Borough/201- 568-6100 Harold Wiener (09) Irvington Twp./973-399-8111

Alternate: Carol Dray (08) Emerson Borough/201-262-2380 Central

Rose Marie Saracino, (10) Old Bridge Twp./732-721-5600 Maureen Doloughty, (09), Holmdel Twp./732-946-2820 Alternate: Sharon Young, (08) West Windsor Twp./609-799-2400 South

Bette Mastropasqua, (10) Beachwood Borough/732-286-6000 Deanna Speck, (08) Haddonfield Borough/856-429-4700 Alternate: Constance Mahon, Cape May Point/609-884-8468 ext 10

LEGISLATIVE REVIEW

Elaine Kennedy, Co-Chair, Eagleswood Twp./609-296-3040 Lewis Thompson, Co-Chair, Millville City/856-825-7000 Sharon Brienza, Branchburg Twp./908-526-1300 x Michael Januska, Milltown Borough/732-828-2100 Bette Mastropasqua, Beachwood Borough/732-286-6000 Deanna Speck, Haddonfield Borough/856-429-4700 x204 L. Manuel Hirshblond, Administrative Consultant/732-349-1348

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2009 MCANJ Committees by Joan Moreland (Continued from Page 8)

LAWS AFFECTING MUNICIPAL CLERKS

Michele Auletta, Chair, Robbinsville Twp./609-259-7082 Sharon Young, West Windsor Twp./609-799-2400 Harold Wiener, Irvington Twp./973-399-8111 Barbara Nyitrai, South Brunswick Twp./732-329-4000 Kathleen Norcia, Lawrence Twp./609-844-7000 Kathleen Cunningham, Cranbury Twp./609-395-0900 Nenette Perry, East Brunswick Twp./732-390-6810 Richard A. Lustgarten, Legal Assistance

MANUAL REVIEW COMMITTEE

Lori Buckelew, Chair and Editor, Lambertville City/609-397-0110 Nennette Perry, East Brunswick Twp./732-390-6810 Deanna Speck, Haddonfield Borough/856-429-4700 X204 Michele Auletta, Robbinsville Twp./609-259-7082 Joanne Monarque, Millburn Twp./973-564-7000 Judy Allen, Delaware Twp./609-397-3240

MEMBERSHIP—North

Sally Bleeker, Chair, Franklin Lakes Borough/201-891-0048 Jane Williams-Warren, Paterson City/973-321-1310 Neil Grant, Fort Lee Borough/201-592-3570 Cecelia Covino, Clinton Twp./908-735-8616

MEMBERSHIP—Central

Gretchen McCarthy, Chair, Jamesburg Borough/732-521-2222 Lorraine Carafa, Loch Arbour Village/732-531-4740 Barbara Nyitrai, South Brunswick Twp./732-329-4000 Kathleen Cunningham, Cranbury Twp./609-395-0900

MEMBERSHIP—South

Bonnie Leonetti, Chair, Long Beach Twp./609-494-5421 LaShawn Barber, Tabernacle Twp./609-268-1220 Cynthia Dalessio, Woodstown Borough/856-769-2200

PAST PRESIDENTS' COUNCIL

Barbara M. Hawk, Chair, 2007 Heather Mailander, 2008 Elaine B. Kennedy, 2006 Jane Williams-Warren, 2005 Joel Popkin, 2004 Allan Susen, 2003 Bernadette Standowski, 2002 Sharon Brienza, 2001 Nancy Hatten, 2000 Bernadette Dubuss, 1999 (ret.) Lynn Stanzlaus, 1998 (ret.) Elizabeth Kiss, 1997 (ret.) Joseph Favaro, 1996 (ret.) Christina Wilder, 1995 (ret.) Kathleen Thorpe, 1994 (ret.) John Galvin, 1993 (ret.) Barbara Camp, 1992 (ret.) Elaine Wallace, 1988 (ret.) Lewis Thompson, 1987 Elizabeth Nolan, 1985 (ret.) James O'Keefe, 1983 (ret.) L. Manuel Hirshblond, 1981 (ret.) Norma Sisco, 1978 (ret.) Otto M. Bock, 1977 (ret.) Alfred Reda, 1975 (ret.) Joseph Valenti, 1974 (ret.)

PEER ALLIANCE FOR LEARNING

 North: Cecelia Covino, Clinton Twp./908-735-8616
Central: Kathleen Cunningham, Cranbury Twp./609-395-0900 Lorene Wright, Allentown Borough/609-989-3030
South: LaShawn Barber, Tabernacle Twp./609-268-1220 Cynthia Dalessio, Woodstown Borough/856-769-2200

PUBLIC RELATIONS/BOOTH

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For Westwood's Annual Home for the Holidays parade, **Westwood Borough Clerk Karen Hughes** proved once again that Municipal Clerks do not just have any old Mickey Mouse job to do—we're the real deal! Posing for pictures, getting hugs and "hamming it up," Karen says she can't wait to do it again next year! This could start a whole new trend—picture Drew Pavlica dressed up as "Garfield" the Cat!

DARM Retention Schedules in Your OPRA Toolbox

By: Thomas A. Segreto, 2008 MCANJ legal counsel

In the universe of OPRA there is a constant evolution in the analysis of whether a government record in whole or in part, must be released as well as new OPRA requirements of which to be aware. Statutory changes, Superior Court decisions, GRC decisions, GRC advisory opinions and administrative regulations all mold what Custodians do in administering OPRA. Sometimes, what seems insignificant can be a great tool in addressing a complicated OPRA question or even a shield in OPRA defense.

In <u>Paff v NJ Dept of Labor</u>, 392 N.J. Super. 334 (App. Div. 2007), the Court held that where there is an OPRA denial of access complaint after this decision, the custodian of the agency must certify as to :

(1) the search undertaken to satisfy the request;

(2) the documents found that are responsive to the request;

- (3) the determination of whether the document or any part thereof is confidential <u>and</u> the source of the confidential information;
- (4) a statement of the agency's document retention/destruction policy and the last date on which documents that may have been responsive to the request were destroyed.

Requirement numbered (4) means that in the case of a municipality, custodians must refer to the Division of Archives and Record Management (DARM) Records Retention and Disposition Schedule and identify which record title and description are responsive to the request, its record series and retention schedule. You should note that on the DARM retention schedule, it states that "Unless in litigation, the records covered by this schedule, upon expiration of their retention periods, will be deemed to have no continuing value to the State of New Jersey..."

Clearly, the process of going through a coded index of records and analyzing the respective retention schedules for the records is as exciting as counting grains of sand on a beach. Notwithstanding this fact, how particular documents are coded and classified in their respective record series may assist in characterizing a government record or parts thereof where there may be some lingering confusion.

By way of example, N.J.S.A. 47:1A-10 exempts personnel records from disclosure, but for certain information listed in the statute, including, but not limited to "payroll records". Let us say that an employee requests to be paid for unused days on a terminal leave basis. The employee submits a letter requesting said leave. A curious OPRA requestor makes a request for the letter on the basis that the employee will be paid and that the document constitutes a payroll record and must be provided pursuant to N.J.S.A. 47:1A-10.

Continued on Page 12

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CONGRATULATIONS 2008 CERTIFIED MUNICIPAL CLERKS

AT THE 2008 N J LEAGUE OF MUNICIPALITIES CONVENTION, THE FOLLOWING INDIVIDUALS WERE RECOGNIZED FOR ACHIEVING IIMC CERTIFIED MUNICIPAL CLERK DESIGNATION:

Patricia A. Frontino (pictured below)

Kathleen West

Rosary Sollena



"Education Comes From Within; you get it by struggle, effort and thought." - Napoleon Hill

PICTURED BELOW:

During the Annual Business Meeting held in Atlantic City on November 19, 2008, Incoming 2009 MCANJ President Joan Moreland presented a Token of Appreciation to Heather Mailander for her services as President of the Association during the year 2008.





CONGRATULATIONS 2008 MASTER MUNICIPAL CLERKS

AT THE 2008 N J LEAGUE OF MUNICIPALITIES CONVENTION, THE FOLLOWING INDIVIDUALS WERE RECOGNIZED FOR ACHIEVING IIMC MASTER MUNICIPAL CLERK DESIGNATION:

> James R. Doherty (pictured above) Joan Moreland (pictured to the left) Denise Szabo (pictured above) Mary Ann Young

Brown's River Ad

Continued from Page 10

Separate and apart from arguments which can be made based upon N.J.A.C. 12: 16-2.1 and the <u>Jackson v. Kean University</u>, GRC No. 2002-98, there is additional support against the document's release in how DARM classifies payroll records separately from personnel records. Based upon the review of the letter's contents, the retention schedule may identify the document as falling under record series 0409-0000, which is a leave request under the rubric of "personnel records". A payroll record falls under the 0313-0000- 0313-0004 series and this document would not fall within that classification. The argument can be advanced that the State of New Jersey has classified certain documents according to a categorized classification schedule and the record in question does not fall within the classification of a payroll record, but personnel records. Hence, the document would not be disclosed to the requestor.

Obviously, in analyzing the accessibility of a government in whole or in part, your primary resources should be exhausted, but there must be a seamless transition between the records requested and retention schedule in the event of a denial of access in whole or in part. The retention schedule is particularly helpful when addressing government records in need of redaction. The finder of fact should understand the nature of the document as a particular type of government record to understand the frame work in which redactions are made thereto. It would be quite embarrassing to advance a reason for the exclusion of a record and then review the retention schedule, only to find out that the document was in fact classified incorrectly and required to be released.

There is another helpful purpose to knowledge of the record retention schedule. Absent local extension of the time frame set forth in the DARM records retention schedule, many records have an expiration date, after which, the disposition is to destroy them. Clearly, a custodian must follow the guidelines of DARM in destroying documents and especially to ensure that private and or confidential information is particularly destroyed. Also, it is important to follow the schedules to avoid document congestion and confusion about what exists and what has been destroyed.

To illustrate this point, consider the following scenario: Municipal Clerk X follows the retention schedule and adheres to all the proper procedures in ensuring that documents which should exist are accessible and those that need to be destroyed are destroyed. OPRA requestor O requests all legal notices for special meetings for the past 10 years. Municipal Clerk X checks the retention schedule and sees that under 0601-0001, legal notices are only required to be kept for 3 years and are then to be destroyed. Aside from any other basis to deny the request, Municipal Clerk X can respond that after 3 years, no government record exists which is responsive to the request. In a neighboring municipality, Municipal Clerk Y does not adhere to the retention schedule and receives the same request from OPRA requestor O. Municipal Clerk Y may need extra time to review archived files to find the records if they exist, because regardless of whether the Municipal Clerk is authorized to destroy a document, if it exists at the time of a request for same, it must be provided, absent any exemption or appropriate redactions to same.

Something as mundane as references to a retention schedule is on the one hand, burdensome, but at the same time, very helpful. It is yet another development in the law regarding OPRA which should be seen more as tools rather than an obstacle. In the end, a Municipal Clerk who understands the nature of the process and the nuances which flow there from ultimately understands the difference between being behind the OPRA hammer or the OPRA nail.

Farewell

With this last article, I bid the Municipal Clerk's Association of New Jersey Inc., a fond farewell and best wishes in its future endeavors. Since 2003, it has been both my pleasure and privilege to serve such an honorable institution and interact with those who advance the interest and education of one of the most noble and under-appreciated professions: that of the Municipal Clerk. To you all, I say thank you and God's speed.

LEGAL DEFENSE FUND, by Sharon Brienza, Chair

The Legal Defense Fund was established by the MCANJ to assist Municipal Clerks when actions have been taken against them in the performance of their duties. I know many of you believe nothing could ever happen to you, but unfortunately the reality is...it <u>can</u> happen to you. As governing bodies and administrators change as they have over the last few elections, these changes can also affect the Municipal Clerk, which is why the Legal Defense Fund is so important. Initial membership of \$75.00, with an annual renewal fee of \$25.00 thereafter, is a small price to pay to protect your future. Applications and renewal applications were, or will be, included with your annual dues membership or you can download an application form from the MCANJ website. I urge you to complete the form as directed - hopefully, you will never need the assistance of the Legal Defense Fund, but if you do, this could prove to be your most valuable insurance coverage. *Please note that failure to renew your membership by April 15, 2009 will automatically terminate your membership and you will need to rejoin at the \$75.00 rate.* Please mail the completed application with your *PERSONAL CHECK* payable to MCANJ – LDF to:

L. Manual Hirshblond, Administrative Consultant, 11 Boxwood Terrace, Toms River, NJ 08755 If you have any questions or would like additional information, please feel free to contact me at 908-526-1300, ext. 103.

MEET YOUR MCANJ LEGAL COUNSEL FOR 2009

Hello everyone. By the time you read this, the Executive Board will have completed its December 2008 meeting, President Heather Mailander will assume the title of immediate past President and Joan Moreland succeeds to the position of President. I mention Heather because I received from her a good news/bad news telephone call. First, the good news was "Congratulations, the Board has agreed to appoint you as attorney for the organization for 2009." (I wish to thank the Executive Board for this selection.) The "bad news" was that I needed to prepare an article for the Quill "next week." Heather advised that it should be introductory and to tell you something about myself.

To get the basics out of the way, I graduated with a BA in political science from the University of Pennsylvania and with an LLB from the Boston University School of Law. I have just completed my 40th year practicing law, but I'm really not quite as old as you're thinking since I started college when I was 16. I live in Fair Lawn, and my law firm is in West Orange. I have a combined 28 years experience as a Borough Attorney, have been a Municipal Prosecutor, Planning Board attorney, First Assistant County Counsel, and I am special litigation counsel for Fair Lawn and the Board of Health attorney for the City of Englewood. I handle the defense of general liability and workers' compensation claims for Fair Lawn. In the past, I have represented two statewide organizations – the New Jersey State Nurses Association and the New Jersey Association of Nurse Anesthetists. For a while I was also an adjunct instructor at Felician College. So much for background.

As a Borough Attorney, I know the demands that are placed on municipal clerks. You are the "go to" person whenever the public or the elected officials want historical data or current information on virtually any subject. And, of course, they want it <u>now</u>! Despite the luxury of having a full seven days to answer an OPRA request, your resident who has lived in town for 45 years and is a taxpayer cannot understand why you can't drop everything and provide the document yesterday. Speaking of OPRA, despite the plain language of the statute, we will see if a Court agrees with a Mayor and Council and its Attorney who wish to decide whether or not a Municipal Clerk can release certain documents. While I firmly believe in comity and cooperation by and between municipal officials, Title 47 clearly designates the Municipal Clerk as the custodian of government records. And guess who the \$1,000 penalty for an initial violation will be assessed against for a knowing and willful violation of the Statute? Anyway, more on this in future issues.

For the future, based on the current economy and the forecast for major budget shortfalls, we will all be called upon to "do more with less." While elected officials have been using this mantra for ages, this time they probably mean it. Consider it just another challenge. I hope to meet many of you in the ensuing months and wish everyone a healthy, happy and hopefully less stressful new year in 2009. Subject to Executive Board policy, I can be reached at 973-736-5333 or by facsimile at 973-736-0484.

Richard A. Lustgarten, Goodman & Lustgarten, 59 Main St., West Orange, NJ 07052

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2008 RESOLUTION HONORING RETIRED MUNICIPAL CLERKS

2000 REPORTION HONORING RETIRED MONTCH HE CLERRED	
We wish the following Clerks our best wishes for good health, success and prosperity upon their retirement:	
Atlantic County:	Karen Bacon, Galloway Township; Carol Raph, Northfield City
<u>Camden County</u> :	Joan Schneebele, Pine Hill Borough
<u>Cape May County:</u>	Theresa Tighe, Sea Isle City
Essex County:	Benedict Martorano, West Caldwell Township; Marjorie Smith, Village of South Orange;
	Christine Renga, Township of Bloomfield; Nancy O'Hara, West Orange Township
Gloucester County:	Robert Dougherty, Jr., National Park; Carolyn Toy, Franklin Township
Hudson County:	Carol Ann Fontana, North Bergen Township; Linda Martin, Town of Guttenburg
Hunterdon County:	Dorothy Gooditis, Raritan Township
Mercer County:	Jean Chianese, Hamilton Township
Middlesex County:	Patricia Hullfish, Plainsboro Township; Albert Seaman, South River Borough
Monmouth County:	Margaret Plummer, Belmar Borough; Joel Popkin, Neptune City Borough
Ocean County :	Judith S. Howard, Beach Haven Borough; Veronica Jasina, Township of Barnegat;
	Maria Pellechia, Manchester Township; Deborah Smith, Ocean Township
	Bernadette Standowski, Lakewood Township
Passaic County:	Jean Mele, Hawthorne Borough; Richard Moran, City of Clifton
Sussex County:	Doris Lewis, Andover Borough; Patricia Lycocsky, Vernon Township
	Denise Stagnari, Green Township; Miriam Tower, Sparta Township
Warren County:	Theresa Tamburro, Blairstown Township

2009 Municipal Clerk Education Conference



 "Knowledge is Power!"
WHEN: Monday to Thursday, April 27th through April 30th
WHERE: Tropicana Hotel In Atlantic City North-South-West Towers \$95.00 Havana Tower \$135.00

All rates subject to 14% state and local taxes and \$5.00 per night occupancy fee.

REGISTRATION PACKAGES WILL BE MAILED IN JANUARY 2009 giving you full details about the Conference. We are trying to reach all Municipal Clerks and Deputy Clerks. If you know of someone new or someone who moved, please let us know! MARK THE DATES—SEE YOU THERE!



Secretary Nancy Saffos, Cherry Hill Township;

Second Vice President Joanne M. Kwasniewski, Fair Lawn Borough;

> First Vice President Vincent Buttiglieri, Ocean Township

President Joan Moreland, Haddon Heights Borough

> Treasurer Drew Pavlica, Garfield City

Immediate Past President Heather Mailander, Ridgewood Village

"We Offer You Our Best Wishes For Happiness and Success This Year!" - 2009 MCANJ Executive Board

JANE WILLIAMS-WARREN NAMED 2008 MUNICIPAL CLERK OF THE YEAR



Jane has offered her time and services to professional associations from the county level right on up to the international level. During her career, Jane has served as Recording Secretary of the Passaic County Clerks Association. She has been a member of the Municipal Clerks Association of New Jersey since 1995, has served as Education Chair for the MCANJ, and worked her way up from Recording Secretary to Treasurer, Second Vice President, First Vice President, and finally President of MCANJ in 2005. Jane also served on the State of New Jersey HAVA (Help America Vote Act) Committee. Jane is a member of the International Institute of Municipal Clerks and is currently serving as Region II Director of IIMC.

Jane Williams-Warren was honored with the designation of "Clerk of the Year" at the Annual Business Meeting of the Municipal Clerks Association of New Jersey on November 19, 2008.

Jane is the Municipal Clerk for the City of Paterson. Jane started her career in the Municipal Clerk's office in 1966 and became Municipal Clerk in 1990.

Jane attended Seton Hall University, as well as Passaic County Community College. In addition to holding the prestigious Master Municipal Clerk title, Jane has an Advanced Academy of Education Certification for municipal clerks, and belongs to the National Association of Parliamentarians.

Jane is recognized both in her community and throughout the State of New Jersey as a civic leader. Jane has received Special Awards from the Pastor's Aide Club, participates in the Women's Gospel Chorus, and has been honored by the New Jersey General Assembly with an Award for National Women History Month. Jane has also received a Certificate of Recognition from the NAACP.



CONGRATULATIONS TO OUR "CLERK OF THE YEAR"

JANE WILLIAMS-WARREN OF PATERSON CITY!

HISTORY OF THE "CLERK OF THE YEAR" AWARD

The "Distinguished Service Award" was given only once, in 1976. Thereafter, it became known as the "Municipal Clerk of the Year Award" and is awarded annually at the League of Municipalities Conference during the MCANJ annual business meeting. The recipient is chosen by the members of the Executive Board for the MCANJ and is a well-guarded secret until the announcement is made by the previous year's recipient. Beginning in 2001, the April issue of the Quill contained a nomination form to be used by individuals or county associations who wish to nominate a Municipal Clerk for consideration by the Executive Board. This nomination form is now included in each April edition of the Quill, to meet the July 1st deadline for receipt of nominations.

MEMBERSHIP HAS ITS ADVANTAGES: A special message from the MCANJ Membership Committee

If you are enjoying this issue of the Quill, and would like to continue receiving future issues in the mail ... MAKE SURE YOUR MCANJ 2009 DUES ARE PAID!

The 2009 Executive Board is continuing the practice of tying in the mailing list of the *Quill* with the dues list for 2009 MCANJ membership. So, if you have previously been receiving an issue of the Quill, and find that you are not receiving any more issues in 2009, check to make sure that your MCANJ membership dues are current and up to date.

Membership in the Legal Defense Fund also requires that your dues be paid and current.

Don't get left behind—Make Sure MCANJ 2009 Dues are Paid!

DATES AND LOCATIONS OF 2009 ADVISORY BOARD MEETINGS:

January 23, 2009 at the Crowne Plaza, Monroe Township, Exit 8A NJ Turnpike (formerly Holiday Inn) at 10:00 a.m. April 29, 2009 at the Annual Education Conference, Tropicana Hotel & Casino, Atlantic City at 10:00 a.m. June 26, 2009 at the Crowne Plaza, Monroe Township, Exit 8A NJ Turnpike (formerly Holiday Inn) at 10:00 a.m. September 25, 2009 at the Crowne Plaza, Monroe Township, Exit 8A NJ Turnpike (formerly Holiday Inn) at 10:00 a.m. November 18, 2009 at the Royal Swan Ballroom of the Tropicana Hotel & Casino, Atlantic City at 8:15 a.m.

DEADLINES FOR NEWS ITEMS: The deadline for the April issue is March 6, 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: <u>administrator@wantagetwp-nj.org</u>. Articles for submission should be prepared in Microsoft Word, using Times New Roman 10-point font, and sent as an email.

the *Quill* Editor - Jim Doherty 11 Boxwood Terrace Toms River, NJ 08755 NON PROFIT ORG. U.S. POSTAGE PAID BERGENFIELD, NJ PERMIT NO. 447