

MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.

PRESIDENT'S MESSAGE, by 2013 MCANJ President Nancy Saffos.



Greetings! I hope this edition of our Quill finds you all well and enjoying summer! I'm writing this message to all of you having just returned from the 2013 IIMC Education Conference that we, MCANJ, hosted in Atlantic City, May 18th through May 24th. To say it was a huge success is an understatement!

As promised, we met clerks from all over the globe, some who traveled long distances, to join us. We heard excellent speakers on a wide range of topics, all of which earned, at the very least, one (1) continuing education credit for NJ Municipal Clerks and there were quite a few that provided credits for NJ Registrars, as well. All totaled there were 114 approved Continuing Education Credits approved for New Jersey Clerks!

The opening ceremony began with the parade of flags, where each state from across our great country was represented, as were the other nine (9) countries, which were also represented at the conference.

There was also plenty of time for fun, fun and more fun! The All Conference Event was held on Wednesday evening and thanks to the incredible creativity of the folks at the Taj Mahal, the Atlantic City Visitor's Bureau and our fabulous conference committee headed by Chris Wilder, Retired Clerk from Hamilton Township, and Allan Susen, Clerk from Haledon Borough, a Beach Event it certainly was! From the dunes that lined our entrance into the event location, to all of the tasty boardwalk foods, such as pork roll, ice cream and salt water taffy, to name just a few; to the airplanes appearing to fly overhead of us all, as we ate and danced the night away; to the fabulous music provided by The "B" Street Band – it was a FANTASTIC Conference.

Although the Conference is now a memory, it won't soon be forgotten - that's for sure. We continue to receive messages from attendees, as far away as the e-mail I received from a new acquaintance, in the United Kingdom, thanking and congratulating us on providing for "the best conference ever."

Many thanks to the MCANJ Executive Board: John Mitch, 1st VP, Keith Kazmark, 2nd VP, Denise Szabo, Treasurer, Dina Zawadski, Secretary, Drew Pavlica, Immediate Past President, and our Executive Director, Joel Popkin, as well as past MCANJ Past Presidents, Barbara Hawk, Heather Mailander, Joan Moreland, Vinny Buttiglieri and Joanne Kwasniewski, for all of their support. A special thank you goes out to both Chris Wilder and Allan Susen, the conference co-chairs, and to all those who volunteered their time long before and during the conference. Thanks to you all, compliments were extended all week long and continued to be received through phone calls and e-mail messages sending thanks to New Jersey for its warm hospitality and for a wonderful conference!

Our state government officials have been busy this year proposing changes that directly impact the office of the Municipal Clerk. The GREAT NEWS is S 2433 (providing for the President of MCANJ or their designee to have a permanent seat on the GRC), successfully passed both the Assembly and the Senate on May 30th and is on its way to the governor's desk for his signature. We are hopeful the governor will see the value in this legislation and sign the bill into law.

Additionally and also fortunately S 2364 (Early Voting), which passed both the Assembly and the Senate along party lines, was Absolutely Vetoed by the Governor! Thanks to all those clerks who reached out to their assembly and senate representatives on this matter. Our phone calls and opposition resolutions, along with our continued and direct involvement with proposed legislation, has absolutely had an impact on our legislatures, so please continue to stay tuned and stay involved; your efforts have not been wasted; they have been extremely valuable. You have made a difference!

Continued on Page 3

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PAST EDITORS:

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1971-1973: Joseph E. Bennett
1974-1982: Harry C. Kates
1983-1993: Janet L. Lynds
1994-1995: Patricia Hullfish and Patricia C. Shuss, Co-Editors
1996-2000: Patricia C. Shuss
2001-2005: Nancy Hatten

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MCANJ PAST PRESIDENTS * EX OFFICIO MEMBERS

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DEADLINES FOR NEWSLETTER ITEMS

The deadline for People Page submissions for the October 2013 issue is September 3rd. Please send People Page news to: Sharon Brienza, Municipal Clerk, Branchburg Township, 1077 US Highway 202 North, Branchburg, NJ 08876 or via Email at Sharon.Brienza@branchburg.nj.us The General News Articles deadline is September 9th, and may be sent to: Jim Doherty, Township of Wantage, 888 Route 23, Wantage, NJ 07461 or via email: administrator@wantagewp-nj.org. Questions or comments regarding the *Quill* may be directed to the Editor, Jim Doherty, by calling 973-875-7192 or using the contact information shown above. Articles for submission should be prepared in Microsoft Word, using Times New Roman 10-point font.

If you retire, or are already retired, remember to register as an Honorary Member through our on-line membership database. This will keep us updated with your latest contact information and will ensure that you continue receiving the Quill.

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PRESIDENT'S MESSAGE

By MCANJ President Nancy Saffos

Continued From Page 1

We continue to track S 2511 (OPMA) AND S 2512 (OPRA), which were both amended on May 31st, on the Senate Floor, by Senator Weinberg.

Please visit MCANJ's website frequently. We continue to update the website with messages containing current information on current legislation and any other information that pertains to us, in our capacity as municipal clerks. Thanks to the steadfast efforts of Daina Dale, from Harvey Cedars, we will continue to keep you updated via the website and blast e-mails. Daina does a wonderful job and spends a lot of time updating the website and sending out those blast e-mail messages to us all.

Many thanks to the efforts of Drew Pavlica, Immediate Past President from Garfield and Jim Doherty, from Wantage, as they have given us a presence on Facebook ... check us out there as well.

As I mentioned in December, at our Annual Meeting, we, the Executive Board Members, are your representatives. If there is something that you believe we need to look at, tend to, change, etc., or if you have a great idea that would benefit MCANJ, please let us know. We invite and encourage new ideas and suggestions. MCANJ is YOUR association, therefore anything that you can do, to make our association stronger and more effective, is always welcomed. Please call me or anyone on our executive board any time. We're here for you.

I wish you all a healthy, safe and happy summer. I hope you get to enjoy the sunshine with all those you hold dear!

Best regards,

Nancy

NEW JERSEY SPECIAL ELECTION NOTICE

Governor Chris Christie has announced that a 2013 United States Senate special election in New Jersey will be held on October 16, 2013 to fill the New Jersey United States Senate seat for the remainder of the term ending January 3, 2015. Frank Lautenberg, who held this office, died on June 3, 2013, creating this vacancy. Several legal actions have been undertaken to challenge the Governor's decision, but as of the deadline for publication of this issue of the Quill, the special election is still scheduled to take place. A primary election would take place on August 13, 2013, and the special election on October 16, 2013.

On June 6, 2013, Governor Christie appointed New Jersey Attorney General Jeffrey Chiesa to fill the Senate seat until the elected winner can be sworn in.



PEOPLE PAGE

by Sharon Brienza

100TH BIRTHDAY



Dorothy Carlson, retired Municipal Clerk from Stratford Borough, celebrated her 100th birthday on April 13th. It is our understanding Dorothy worked up until her 85th birthday! Happy belated birthday, Dorothy. Everyone hopes you had a very enjoyable and memorable day!

RETIREMENT

MARGE GOULD, PEAPACK-GLADSTONE

Marge Gould, Borough Clerk/Administrator of Peapack and Gladstone Borough (Somerset County) retired as of April 1, 2013. She began her career on March 15, 1983 as Deputy Clerk/Administrator and then as Clerk/Administrator on January 1, 1987. Along with her RMC and CMC she earned certifications as QPA, CMR and CMFO. A retirement party was held on May 10th and was well attended by family, Mayor and Council, fellow employees and business associates. Best Wishes Marge!



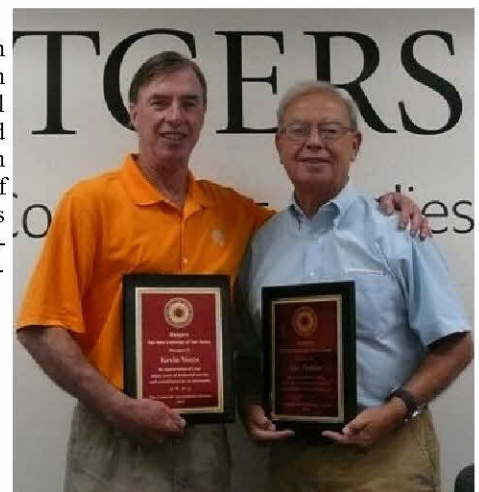
Marge Gould, center, celebrates her impending retirement with her successor, Robin Collins, left, and Deputy Clerk Donna Bassman. On Friday, March 15, Gould marked her 30th anniversary as the twin Borough's Clerk and Administrator.

KEVIN YECCO, WILDWOOD CREST BOROUGH

After working in the Borough of Wildwood Crest for 27 years, Borough Clerk and Administrator Kevin Yecco announced his retirement effective June 30th. "I feel that the time is right," Kevin explains. "It has been an outstanding career." Kevin plans to take the summer off, then explore other opportunities- such as continuing to teach local administration classes at Rutgers University. "I'm looking forward to new challenges and new opportunities" Kevin said. In addition to being a long-time Instructor of Municipal Clerk certification courses, Kevin has fulfilled an invaluable mentoring role for his colleagues.

Kevin has served on many MCANJ committees, notably including the Education Committee where Kevin has been instrumental in development of the Study Guide utilized for teaching aspiring Municipal Clerks in New Jersey. Kevin was awarded the Municipal Clerk of the Year Award for the year 2005.

Pictured at Right: On May 30, 2013, Kevin Yecco (left) and Joel Popkin (right) received Plaques of Appreciation for their many years of dedicated service as Instructors of the Municipal Clerks Certification Courses.



Best wishes Kevin!
You will be missed!

PEOPLE PAGE, Continued

by Sharon Brienza

TRANSITIONS

Robin Collins, formerly of Borough of Far Hills, has been appointed Borough Clerk in the Borough of Peapack and Gladstone (Somerset County).

Dorothy Hicks has been appointed Borough Clerk of Far Hills Borough (Somerset County).

Good luck to all!

CONDOLENCES

Condolences to Rich Phoenix, Municipal Clerk, Borough of North Plainfield (Somerset County), on the recent loss of his mother and mother-in-law.

Former Berkeley Township (Ocean) Municipal Clerk and Registrar Beatrice Iden passed away on May 28, 2013.

Our condolences to the families.

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The Ocean County Municipal Clerks' Association honored Manny and Janet Hirshblond on their 60th Wedding Anniversary. Manny is the retired long-time MCANJ Administrative Consultant. The Association wanted to help spur business in a Sandy-affected location so they held their meeting at Aqua Blu in Toms River.



MCANJ Immediate Past-President Drew Pavlica was the Program Director of his College Radio Station at Montclair State, many years ago. On Wednesday, May 15, 2013, Drew returned to the air waves from 5:00 PM to 10:00 PM as part of WMSC-FM's "Alumni Take Over 2013." Here's to Drew re-living his College Glory Days!

## NEWS FROM:

### MUNICIPAL CLERKS' ASSOCIATION OF SOMERSET COUNTY

On March 13th, Jolanta Maziarz (Woolson, Sutphen & Anderson) explained the lawsuit and process of Gannett v Raritan Borough (Somerset County) regarding the newspaper's request for payroll information. Most of us remember getting the request and not being able to provide the information without a cost since payroll records are held by an outside company. At this writing, Raritan is still appealing the decision.

*Pictured are Jolanta Maziarz, County President Kevin Sluka and Raritan Borough Clerk Rayna Harris.*



### NEW GRANDDAUGHTER

Karen Barna's (Seaside Park) new granddaughter, Julia, at 8 months old. Such a cutie!



## PEOPLE PAGE, Continued

*by Sharon Brienza*

### JUST FOR THE FUN OF IT

#### RETIREMENT NEWS

Dee (Doris) Perez (retired Municipal Clerk from Mahwah, Bergen County) recently contacted me regarding the articles about Angie (Pileggi) and Lynn (Stanzlaus) in the last issue and gave me the Reader's Digest Condensed version of what she's been up to: "We recently sold our boat, 'No Agenda,' after cruising the Bahamas, Keys and West Coast of FL. I've been involved with the American Red Cross for the past eleven years and when they closed our satellite office in Jupiter I found a haven at the Jupiter Medical Center Thrift Shop, a boutique store the size of a small department store. That didn't last very long as I was identified as a person who had extensive volunteer service, plus a business background, and this October I will be sworn in as President of the 600 member Jupiter Medical Center Auxiliary. So, it's back to work - but there is no paycheck; only a great feeling that I'm giving back for all the good in our life." Way to go Dee!

If there are any other retirees out there who would like to update the members of the Association, please send me your news!

It was great to see some of you at the IIMC Annual Conference in Atlantic City and hope you enjoyed it!

#### ANNUAL IIMC CONFERENCE

After five years of planning, the Annual IIMC Conference was held at the Trump Taj Mahal in Atlantic City. With more than 900 attendees, including several New Jersey "first timers," it was a very successful conference. I hope all the first timers made friends with someone from another state that you will stay in touch with during the year and meet up with at your next conference. This year my buddy is Bobby Busch from Kansas and we've already exchanged emails!

I'm sure everyone agrees that in addition to the many educational opportunities everyone had some fun, too! With so many pictures to share, space only allows a few, but please "friend" the MCANJ and IIMC on Facebook where you can see several pictures. Other pictures can be assessed through the IIMC Website and are available for purchase – check them out – there are some good ones!

A special thank you to Chris Wilder and Allen Susen who were the Co-Chairs of the conference and did a tremendous job coordinating everything and everyone. Thanks, Chris, for coming out of retirement!



MCANJ President Nancy Saffos addressing the Clerks at the IIMC Conference in Atlantic City.



Chris Wilder and Allen Susen, New Jersey Co-Chairs of the 2013 IIMC Conference held in Atlantic City, New Jersey, address the Conference Delegates after receiving Resolutions of Appreciation from the IIMC for a job well done.

## PEOPLE PAGE, Continued

*by Sharon Brienza*

### ANNUAL IIMC CONFERENCE, Continued

*THIS MAY BE OF "PINTEREST" TO YOU!*



Many of you have asked what to do with the pins that you have collected during the IIMC Conference. I've been putting mine on a huge map and have promised for years to take a picture and share it. I have finally gotten around to doing that and that picture is shown above. You will notice that North and South Dakota have very limited participation!



Once the Convention was finally under way, Chris Wilder was able to relax, let go and enjoy the musical talents of The Mummers, during the Opening Reception!

**VISIT THE MCANJ FACEBOOK  
PAGE AND ENJOY MANY  
MORE PHOTOS OF THE  
IIMC CONFERENCE!**



Municipal Clerks from around the world were treated to one of the best IIMC Conferences in memory in Atlantic City, and the success of the Conference was in no small measure due to the amazing job done by the New Jersey Municipal Clerks who volunteered their time and energy to offer directions on where seminars and events were taking place, setting up, taking down, and offering guidance to all who attended. Our thanks and appreciation are extended to these wonderful Ambassadors of the State of New Jersey. Ladies and Gentlemen, you did us proud!

## 67th IIMC Annual Conference, held in the Taj Mahal Hotel in Atlantic City

Below: Melanie Vanderbeck from the Hawthorne Gospel Church Choir and Praise Team singing the National Anthem during the Opening Ceremonies of the 67th IIMC Annual Conference held in the Taj Mahal Hotel in Atlantic City, New Jersey on Monday, May 20, 2013.



### A MESSAGE FROM THE IIMC EXECUTIVE DIRECTOR DATED MAY 30, 2013:

Well, it's my first day back at work and staff is still buzzing from the conference. I can't tell you the countless emails I am receiving about what an outstanding week AC was. From my perspective, I would like to bottle it and bring it with me for future conferences. It was exceptional, exciting and beyond most people's imagination – from the events to the education sessions. Please convey our thanks to all your volunteers for their hard work, effort, enthusiasm and energy that made the 2013 conference unique. If an outsider was looking in, they would think it was a simple process since everything seemed seamless and effortless. But, we all know the amount of hard work that goes into a production like this. Years and years of hard work and coordination. I thank all of you for having IIMC's best interest in mind at all times and for the countless number of hours that you've endured in making the 2013 conference, without doubt, one of the best in my 20 year history with IIMC. Thank you.

Christian G. Shalby,  
Executive Director,  
International Institute of  
Municipal Clerks

Pictured at Right: MCANJ President Nancy Saffos and IIMC Executive Director Chris Shalby share a moment of discussion at the IIMC Conference.



Above: MCANJ Immediate Past-President Drew Pavlica offering a special Invocation during the Opening Ceremonies of the 67th IIMC Annual Conference held in the Taj Mahal Hotel in Atlantic City, New Jersey on Monday, May 20, 2013.



Some New Jersey Municipal Clerks: Deptford Township Clerk Dina Zawadski, Paulsboro Municipal Clerk Kathy Van Scoy, Southampton Borough Clerk Kim-Marie White and Glassboro Municipal Clerk Pat Frontino enjoying the Annual Reception at the 67th IIMC Annual Conference in the Grand Ballroom of the Taj Mahal Hotel in Atlantic City, New Jersey.

## ROOM RESERVATION FORM

### Trump Taj Mahal, Atlantic City, NJ

*League of Municipalities Conference, November 19—21, 2013*

This year, there is a total block of 21 rooms available to our Association in the Chairman's Tower at the rate of \$92.00 per night (plus \$10 occupancy fee, & \$1 phone fee). If you do not pay by voucher, add the cost of the State sales tax of 13%. These rooms are available on a first-come, first-served basis. Any room not reserved by September 6, 2013 will revert back to the League for its use.

**League Policy Regarding Cancellations:** Anyone canceling a reservation after November 1, 2013, will be responsible for the entire cost of the room. The Municipal Clerks' Association will not be responsible for the cost of any cancelled room. Please remember: If you make your room reservation through the MCANJ, you must cancel through MCANJ, not the hotel directly.

**Please Print or Type:**

**Name:** \_\_\_\_\_

**Municipality:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Enclosed: Personal Check #** \_\_\_\_\_ **(or) Voucher #** \_\_\_\_\_

**I will be arriving on November** \_\_\_\_\_, 2013 **and departing on November** \_\_\_\_\_, 2013.

**Make checks payable to Trump Taj Mahal.**

**My reservation will be for Trump Taj Mahal and I acknowledge that I am responsible for the cost of the accommodation and will honor the cancellation policy of notifying 2nd Vice President Keith Kazmark no later than November 1, 2013. I further accept that cancellations made after this deadline date will require my payment of all cancelled room night costs.**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Title/MCANJ Position**

**Return by August 31, 2013 to:**

**Keith Kazmark, 2nd Vice President**

**Elmwood Park Borough**

**Address: 182 Market Street, Elmwood Park, NJ 07407**

**E-mail: [kkazmark@elmwoodparknj.us](mailto:kkazmark@elmwoodparknj.us)**

**Phone: (201) 796-1457, x202**

**Fax: (201) 794-0976**



**Reminder: Tickets for the Wednesday, November 20, 2013 MCANJ BREAKFAST are available through your County Advisory Board Representative. NO TICKETS WILL BE SOLD AT THE DOOR.**

## 2013 TREASURER REPORT

### MEMBERSHIP SUMMARY

(REPORTED Friday, June 07, 2013)

| <u>CATEGORY</u>                              | <u>TOTAL</u> |
|----------------------------------------------|--------------|
| Full - Municipal Clerk                       | 435          |
| Full - Acting Municipal Clerk                | 24           |
| Full - County Clerk                          | 3            |
| Full - Clerk of Freeholder Board             | 4            |
| Associate - Deputy Municipal Clerk           | 164          |
| Associate - Assistant Municipal Clerk        | 20           |
| Associate - Deputy County Clerk              | 1            |
| Associate - Deputy Clerk of Freeholder Board | 1            |
| Affiliate - All Others                       | 24           |
| Honorary Membership (Retired)                | 7            |
| GRAND TOTAL                                  | 683          |



**DENISE SZABO,  
MCANJ TREASURER**

## ANNUAL BUSINESS MEETING AND BREAKFAST MEETING START TIME: 9:00 A.M.

The date of the Annual Business Meeting and Breakfast this year is Wednesday, November 20, 2013.

The NEW location will be:

**Trump Taj Mahal - Tiara Ballroom**

Breakfast will begin at 8:00 a.m.

The business meeting will begin at 9:00 am.

The price of the ticket will again be \$30.00.

The deadline for purchasing tickets is October 11, 2013.

As in the past, no tickets will be sold at the door.

Tickets will be available from County Advisory Board Representatives. Individuals interested in purchasing tickets should contact the Advisory Board Representative of their county.



**Keith Kazmark,  
2nd Vice President  
Elmwood Park Borough  
182 Market Street,  
Elmwood Park, NJ 07407  
Phone: (201) 796-1457, x202  
Fax: (201) 794-0976  
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## MCANJ 2014 Committees—SHARE YOUR TALENTS! Please Help Out

By late Summer / early Fall, I will begin to craft committees for 2014, being the year that I will have the honor of serving as your MCANJ President. I ask that you please consider serving on one of the committees of MCANJ (listed below). While it is always great to have experienced Municipal Clerks serving on committees, it is equally important to open the door for newer Municipal Clerks or Municipal Clerks that have not yet served on a committee, to share new ideas and innovations. I hope to wind up with a dynamic mix of experienced minds and fresh voices. Together, as a team, we can address current as well as future issues that affect our profession. If you are interested in volunteering, please complete the form below and return it to me no later than September 1, 2013 at [john.mitch@twp.woodbridge.nj.us](mailto:john.mitch@twp.woodbridge.nj.us) or via facsimile @ 732 602-6053. As always, if you have any questions, please feel free to call me at 732 634-4500 x6404. I thank you in advance for your consideration in volunteering and I look forward to working with you next year.

John M. Mitch, 2013 First Vice President

### **Constitution & Bylaws:**

Reviews and recommends amendments to the Association's Constitution and Bylaws, to enact sound and fair rules of our organization.

### **Education:**

Develops educational programs, reviews the certification and recertification programs and provides for seminars and conferences.

### **Elections:**

Examines and evaluates the statutory requirements governing elections in municipalities.

### **Education Conference:**

Plans and implements an informative and rewarding program.

### **Fund Raising:**

Plans and implements fund raising efforts for the benefit of MCANJ and the Legal Defense Fund.

### **Information Technology/Web Page**

Prepares, provides and reviews information shown on the MCANJ web page. Provides the Executive Board with other means of technology useful to the Municipal Clerk.

### **Legal Defense Fund:**

Reviews applications of Fund members for legal assistance and promotes Fund membership.

### **Legislative Review:**

Reviews and monitors all proposed legislation which may affect the Municipal Clerk or our municipalities.

### **Legislative Committee for Laws Pertaining to Municipal Clerks:**

In conjunction with the Legislative Committee, monitor and review all proposed legislation that may directly affect the Municipal Clerks' profession.

### **Manual Review:**

Provides the annual updates of the Study Guide and Desk Reference manuals in conjunction with the Education Committee and Rutgers University.

### **Membership / Peer Alliance For Learning:**

Strives for 100% membership in MCANJ. Identifies new Municipal Clerks and teams them with participating experienced Municipal Clerks who share their knowledge and assistance when needed.

### **Professional Development and Mini Conferences:**

Develops programs and seminars that address the managerial skills needed by today's Municipal Clerks.

### **Public Relations/MCANJ Booth:**

Functions as the official Welcome Committee for our members and guests during conferences and other sponsored events. Organizes and manages the MCANJ booth at the Spring Education Conference and the League of Municipalities Conference.

### **Quill:**

Provides a comprehensive professional publication for quarterly distribution to Association members.

### **Raffles:**

Conducts such appropriate events, as determined by the Executive Board. Handles all aspects of the application process, advertising and follow up reporting to LGCCC for all games of chance run by the MCANJ.

### **Records:**

Reviews pertinent decisions of the Government Records Council regarding the Municipal Clerk's responsibility in complying with the Open Public Records Act.

### **Resolutions:**

Presents Resolutions recognizing retired and deceased Municipal Clerks at the annual meeting at the Annual League of Municipalities Conference.

### **Scholarship:**

Advertises the availability of scholarships available, reviews applications and selects candidates to receive financial assistance.

Name \_\_\_\_\_ Title \_\_\_\_\_

Municipality/Address \_\_\_\_\_

Phone \_\_\_\_\_ FAX \_\_\_\_\_ E-mail Address: \_\_\_\_\_

I would like to serve on the following MCANJ Committee(s) during 2014:

1<sup>st</sup> Choice \_\_\_\_\_

2<sup>nd</sup> Choice \_\_\_\_\_

3<sup>rd</sup> Choice \_\_\_\_\_

**Deadline: Please return by September 1, 2013 to:** John M. Mitch, MCANJ 1st VP  
Township of Woodbridge  
1 Main Street, Woodbridge, NJ 07095  
OR Fax to: (732) 602-6016  
OR E-mail to: [john.mitch@twp.woodbridge.nj.us](mailto:john.mitch@twp.woodbridge.nj.us)

## *A Little Bit of OPRA and OPMA and some Ethical Considerations*

*by Richard Lustgarten, MCANJ Legal Counsel*



As of this writing, S1451 and S1452 have been pulled from the table and are under further discussion. I have spoken with Senator Loretta Weinberg's office and have been advised that she is meeting with additional groups for further input and refinement of these two pieces of legislation. Specifically, she is seeking input from additional local governmental officials. It appears that the vote on these two bills is still somewhere down the road. \*\*\*

I attended the IIMC Conference in May in Atlantic City. As you know, New Jersey was the host state and by all indications, the conference was a major success.

I attended a seminar on ethics which was well attended. During the course of discussion of various ethical issues, one of the clerks present indicated that she was from Newtown, Connecticut. As you may recall, this is the community wherein 27 people were killed (including 20 students) after a mass shooting at the Sandy Hook Elementary School.

Apparently in Connecticut, the death certificates which contain information about the cause of death and other details, are subject to release pursuant to Connecticut's equivalent to OPRA. This particular clerk indicated that she thought it was unethical to release these documents because of the sensitive nature contained within them and thought it inappropriate for this information to turn up in the local newspapers. (It is my understanding that there is a bill in the Connecticut legislature to prohibit dissemination of these documents, but as of this writing I am not sure whether this bill has been adopted.)

From a strictly human and emotional standpoint, her sensitivity to the feelings of the relatives of those who were killed and the community as a whole was admirable. After she made her statement, many of the clerks in attendance applauded and stood up in support of her position.

At the break I spoke to the moderator and indicated, at the risk of being the most unpopular person in the room, that I disagreed with her position. I stated to the moderator, that at least in New Jersey, the relationship of the Municipal Clerk to public documents is one of "custodian of records" not the "owner of the records." I explained to the moderator that, in my opinion, as a lawyer, the municipal clerk had no discretion in not releasing the documents. (In New Jersey these documents are exempted and I was referring to the Connecticut law.)

Of course, after volunteering this opinion to the moderator, she requested that I repeat it to the group as a whole, which I was willing to do. (She attempted to "protect" me by indicating that it would be unethical for anyone to boo or verbally abuse me for what she perceived to be a most unpopular position.)

None of that happened, and I was pleased that after the seminar was over several New Jersey clerks came up to me and indicated that they agreed with my position and glad that it was stated.

The above facts highlight the tension at times, between ethics, morals and the law. Generally speaking, ethics are rules of conduct established by society indicating what is right and wrong conduct.

On the other hand, morals have been defined as principles or habits with respect to right or wrong which are basically individual and internal as opposed to ethics which are part of a social system and external. The law may reflect what is ethical or moral, or both.

The Connecticut clerk was acting on her personal moral principles but effectively contravening the law which in this case reflected the sense of the legislature that certain documentation should be released for public information purposes (at least until the law is changed.)

Consequently, on a human and personal basis, the clerk should be applauded for her sensitivity to the issue but as the "custodian of records" and as a fiduciary to the public, she did not have the legal right to implement her feelings.

*Continued on Page 13*

\*\*\* Senator Weinberg originally introduced Senate Bills S1451 & S1452. Senator Weinberg has withdrawn those bills so effectively they no longer exist. Senator Weinberg has now introduced bills S2511 and S2512. The intent of the bills—amending OPRA and OPMA—remains the same, but the details of the proposed amendments have changed.

## *A Little Bit of OPRA and OPMA and some Ethical Considerations*

*by Richard Lustgarten, MCANJ Legal Counsel*

*Continued from Page 12*

At the seminar the moderator gave each of us a hand-out with certain ethical questions and a multiple choice answer/response. I am not going to repeat all of them here, but the following are some of the scenarios presented.

- You are an administrative supervisor for a public sector agency. While in your car one day, you see a co-worker who has called in sick, loading a set of golf clubs into his car. What do you do?
- Your agency allows you to carry governmental identification in your wallet. While on your day off, you get stopped by the police for speeding in your private car. Do you show the identification?
- You realize that you made a huge mistake at work and have been working frantically to correct the problem. The mistake will undoubtedly cost your agency thousands of dollars and you may lose your job. Do you advise your superiors about the problem or do you continue to work to resolve it hoping that you accomplish it before anyone else finds out?

Moreover, there are some ethical dilemmas that are universal. They affect each of us in our personal as well as professional lives. One of the classic examples is whether or not you tell the “absolute truth” or modify the truth to a degree to spare another person’s feelings.

More to the point in your capacity as municipal clerk, I can think of several dilemmas that you will face. For example:

- 1) The Mayor receives a letter from an outside agency indicating a problem in your municipal government and he asks you to keep the document confidential and not transmit it to other Council members. What do you do?
- 2) You note that a co-worker is taking extended lunches which range from 15 minutes to a half hour. Do you attempt to counsel the coworker, report it up “up the line” or do you consider that this might even be a “theft of services” for getting paid for not working? How do you handle the situation?
- 3) At a council meeting your borough attorney gives legal advice to the Mayor and Council which you believe is erroneous based on your past experience. Do you advise the Council at that meeting, take the borough attorney aside and ask him to reconsider, or say nothing?
- 4) You receive an OPRA request and upon follow-up by the requestor you indicate that you have been diligently searching for the documentation but need an extension of time, when, in fact, you have not even commenced the search. You obtain the extension, and the documents and then send them out to the requestor. Have you acted ethically?
- 5) You have a politically divided Council and a member of the majority wants you to do research on a particular subject but only send the results of the search to the majority members of the Council. What is your responsibility to the full Council and what is the ethical thing to do?

This article is too short to have a full discussion of your legal, ethical and moral responsibilities but suffice it to say, simplistically, that conforming your actions with legal and ethical standards is really choosing right over wrong conduct.

Some pundits have said you should always use the “smell” test. If it doesn’t smell right, it isn’t.

The tension between legal mandates and ethical considerations come into play when you believe that while the law is clear, it is “stupid,” “cumbersome,” “unnecessary” or “just plain silly.” Nevertheless, if the legal mandate is clear, regardless of whether or not you think ethically it is wrong, your responsibility is to follow it.

In a gray area, where the legal mandate is not so clear, and you feel that there are ethical or systemic considerations to go one way or another, you may have to request your attorney to go to court to obtain a definitive ruling, if the matter is ripe for litigation as courts don’t normally render advisory opinions.

While “ethics” is a branch of philosophy, commonly known as “moral philosophy,” and we each have an individualized sense of it based on our background, religious beliefs, personal experiences, etc., from a legal standpoint it generally needs to be subordinated to what the law requires of you.

While taking a position that may be unpopular in a particular situation (see the comments on the seminar above), if you follow the law, your position will always be defensible from a professional standpoint.

*Continued on Page 14*

## *A Little Bit of OPRA and OPMA and some Ethical Considerations*

*by Richard Lustgarten, MCANJ Legal Counsel*

Continued from Page 13

Standing up to the crowd, whether the “crowd” is the Mayor and Council, co-employees, or members of the public is not always easy. In my prior roles of borough attorney, planning board attorney, and first assistant county counsel, when all other avenues of persuasion failed, I used the following as a fall back line, “You know something, I don’t make the laws, but it is my responsibility to advise you what they are and to follow them. I hope you understand that I don’t have any discretion in this matter. And neither do you.”

Sometimes you convince and sometimes you don’t, but at least you’ve gone on record as seeking the correct course of action to follow.

In conclusion, I would like to quote from Aristotle, who said, “We do not act rightly because we have virtue or excellence, but we rather have those because we have acted rightly.”

Have a happy, and ethical, summer.



MCANJ 1st Vice President John Mitch, above left, was the Co-chairman of the 100th Anniversary celebration of Avenel Fire Company No. 1 on June 8, 2013. John served as Avenel Fire Chief in 1993 and has served as a Fire Commissioner from 1987 to 1990, 1998 to 2002, and 2000 to present. Other notes of interest for this parade and public picnic are: Don Kazar, South Bound Brook Municipal Clerk / owner of Elmer's Catering, provided food for the thousands who attended the event. In addition, MCANJ President Nancy Safos was in attendance as well as Lori Buckelew (RMC/NJLM) who marched with St. Brendan's Pipes & Drums.

## Take the Lead!

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## SCHOLARSHIP APPLICATION DEADLINE IS NEAR!

Municipal Clerks, Deputies and Assistants continuing their education in pursuit of RMC, CMC and MMC certifications are eligible for a Scholarship. Candidates for all scholarships MUST be members of the Municipal Clerks' Association of New Jersey. CMC and MMC Scholarship applicants must be tenured Municipal Clerks. Scholarships shall be awarded at the Annual Meeting of the Municipal Clerks' Association of New Jersey on Wednesday, November 20, 2013 during the League of Municipalities Conference in Atlantic City: Four (4) RMC Scholarships; One (1) Peter H. Maclearie CMC Scholarship (Includes registration and 1 night's hotel accommodation); One (1) MMC Scholarship (Includes registration and 1 night's hotel accommodation). Completed applications should be mailed directly to: MCANJ SCHOLARSHIP COMMITTEE, c/o Karen Hughes, RMC, Westwood Borough, 101 Washington Avenue, Westwood, NJ 07675.

### THE APPLICATION DEADLINE IS SEPTEMBER 1, 2013.

You are encouraged to take advantage of this scholarship program offered to you by your Association. Please complete this application page (or a photocopy of it) and submit it as instructed. Should you have any questions, please contact Karen Hughes at 201-664-7100, ext. 101

#### MCANJ SCHOLARSHIP APPLICATION FORM

Name \_\_\_\_\_ Title \_\_\_\_\_

Municipality \_\_\_\_\_

Address \_\_\_\_\_

Date of Appointment as Municipal Clerk \_\_\_\_\_ Deputy/Assistant \_\_\_\_\_

Check One: ☐ MCANJ Dues are paid by municipality ☐ MCANJ Dues are paid by member

#### I am applying for the:

- ☐ RMC Scholarship – cost of one (1) course
- ☐ CMC Scholarship [tenure date \_\_\_\_\_] – for tuition to CMC program by Rutgers University and one (1) night's hotel accommodation.
- ☐ MMC Scholarship [tenure date \_\_\_\_\_] – for tuition to MMC program by Rutgers University and one (1) night's hotel accommodation.

List RMC, CMC and MMC educational courses taken and indicate whether the municipality or you paid for the course.

Reminder: All applicants must be members of the Municipal Clerks' Association of NJ, Inc. Applicants for the CMC and MMC Scholarships must be tenured. Use a separate sheet of paper for a short statement as to why you feel this scholarship should be awarded to you and attach it to your application.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

## **IIMC CONFERENCE WRAP UP**



The 2013 MCANJ/IIMC Conference was a huge success!! With over 900 delegates, exhibitors and guests it was the best attended IIMC conference in recent years. In addition to the U.S. and Canada, attendees included IIMC members from Belgium, Bermuda, England, Israel, The Netherlands, Scotland, South Africa and Wales.

Chris Shalby, Executive Director of the IIMC, called it "exceptional, exciting and beyond most people's imagination – from the events to the education sessions... making the 2013 conference, without doubt, one of the best in my 20 year history with IIMC."

The conference officially began at the Opening Ceremony with the moving Parade of Flags, the National Anthem sung beautifully by Allan Susen's daughter Melanie Vanderbeck, and finished with the rousing entertainment of the 'Unexpected Boys'.

Throughout the week general and education sessions were held including specially designed sessions for New Jersey municipal clerks. The All-Conference event was held at the Taj's Mark Etress Arena and featured an elaborately decorated boardwalk theme including sand dunes, boats, a lifeguard station with real lifeguards and huge screens showing video scenes of old-time Atlantic City. The music of the B Street Band was so well received that the event was extended an extra hour and could have gone on longer. The conference ended on Thursday evening with a reception sponsored by the MCANJ and a banquet.

We thank our volunteers, wearing their red vests, who did a wonderful job. To quote Chris Shalby once again, "their hard work, effort, enthusiasm and energy ... made the 2013 conference unique... everything seemed seamless and effortless."

As Allan Susen, my Co-Chair noted, New Jersey knows how to run a conference (and a party)!!

By Christina Wilder

**We are grateful to the following for their support of the 2013 Conference:**

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Sussex County Municipal Clerks' Association  
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Oregon Association of Municipal Clerks  
City Council of the City of Atlantic City  
Spencer Savings Bank  
Christina Wilder

### **BRONZE SPONSOR - \$500**

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Senator Christopher "Kip" Bateman  
Fullerton Automotive  
William Schroeder of Nisivoccia, LLP - CPA's & Advisors  
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Metropolitan Business & Citizens Association of Atlantic City  
Dorsey & Semrau, LLC  
Roger Skoog, Esq

**THANK YOU FOR HELPING MAKE THIS EVENT A SUCCESS!**

## 67th IIMC Annual Conference, held in the Taj Mahal Hotel in Atlantic City



MCANJ Past-President Sharon Brienza (2001) with a new friend during the IIMC President's Opening Reception held in the Exhibit Hall of the Taj Mahal



2013 MCANJ President Nancy Saffos standing near the New Jersey State Flag during the Opening Ceremonies of the 67th IIMC Annual Conference held in the Taj Mahal Hotel in Atlantic City, New Jersey on Monday, May 20, 2013



Tom and Kathy Thorpe-Holder (1994 MCANJ President) at the All Conference Event in the Mark Etress Arena in the Taj Mahal Hotel in Atlantic City during the 67th IIMC Annual Conference on Wednesday, May 22, 2013.



Seattle City Clerk Monica Simmons (on Harley Davidson Motorcycle) and friends at the Wisconsin Municipal Clerks' Association Booth in the Exhibit Hall of the Taj Mahal Hotel in Atlantic City during the 67th IIMC Annual Conference

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## 67th IIMC Annual Conference, held in the Taj Mahal Hotel in Atlantic City



Louis Imhof, Clerk to the Board of Chosen Freeholders, Passaic County, New Jersey; Kevin Galland, Administrator/Clerk of Woodland Park, New Jersey; Keith Kazmark, Administrator/Clerk of Elmwood Park, New Jersey; and MCANJ Past-President Joan Moreland (2009) at the Annual Reception of the 67th IIMC Conference in Atlantic City.



2012-2013 IIMC President Brenda Cirtin reacts as 2013-2014 IIMC President Marc Lemoine makes a light-hearted comment during the IIMC Annual Business Meeting/Delegate Breakfast.



New Jersey Lt. Governor Kim Guadagno welcomes Delegates to the Garden State during the Opening Ceremonies of the 67th IIMC Annual Conference.



2013 Municipal Clerks' Association of New Jersey President Nancy Saffos presents a gift to IIMC President Brenda Cirtin during the IIMC Annual Business Meeting/Delegate Breakfast.



MCANJ Past-Presidents Vinny Buttiglieri (2010) and Joanne Kwasniewski (2011) chat prior to an education session.



Atlantic City Municipal Clerk Rhonda Williams after receiving a Resolution of Appreciation from the International Institute of Municipal Clerks for her role as Host Clerk of the 2013 IIMC Conference.

## 67th IIMC Annual Conference, held in the Taj Mahal Hotel in Atlantic City



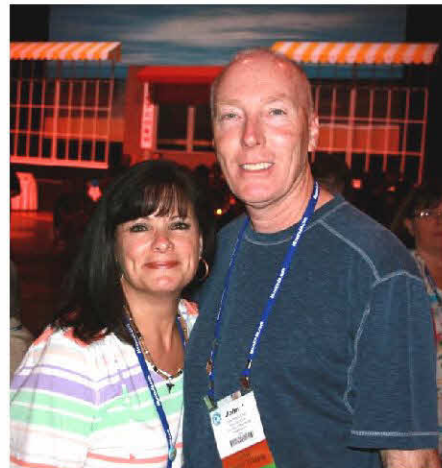
Hamilton, New Jersey Township Clerk Eileen Gore and Lawrence, New Jersey Township Clerk Kathy Norcia look over the Program at the IIMC Annual Business Meeting/Delegate Breakfast.



2013 MCANJ President Nancy Saffos of Cherry Hill, New Jersey, speaking during the IIMC Annual Business Meeting/Delegate Breakfast held at the 67th IIMC Annual Conference.



Sandy Lemoine and her husband, IIMC President Elect Marc Lemoine of Winnipeg, Manitoba, Canada, at the All Conference Event in the Mark Etrass Arena in the Taj Mahal Hotel in Atlantic City during the 67th IIMC Annual Conference.



Lebanon, New Jersey Township Clerk Karen Sandorse and MCANJ First Vice President John Mitch of Woodbridge, New Jersey at the All Conference Event in the Mark Etrass Arena.



Two of the nicest people you will ever meet: IIMC Staff Members Tammy Schultz and Janis Daudt at the All Conference Event in the Mark Etrass Arena in the Taj Mahal Hotel in Atlantic City during the 67th IIMC Annual Conference on Wednesday, May 22, 2013.



A Beach Party Indoors for the All Conference Event featuring a tribute to New Jersey's Hometown "Boss" - Bruce Springsteen - as presented by the "B-Street Band" in the Mark Etrass Arena on Wednesday, May 22, 2013.

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## SLOGANS OF NEW JERSEY: “ALSO KNOWN AS ... (PART 2)”

Here are the answers to the Matching Challenge shown on Back Page

- C Burlington Township (Burlington County): Thanks to the Burlington Coat Factory (founded in 1924), it was probably not too tough to come up with Burlington's nickname being "The Coat Town." Burlington was originally the county seat of Burlington County but in 1796, as the population increased away from the Delaware River, the county seat was moved to Mount Holly Township.



- B Byram Township (Sussex County) is known as the "Township of Lakes" because of its nearly two dozen lakes and ponds. Complementing that title, Byram is also known as the "Gateway to New Jersey Trails." The Sussex Branch Trail extends 21 miles, following the route of the old Sussex Branch Railroad, allowing trail users to explore the route once used by steam locomotives and freight trains.

- G Glassboro Borough (Gloucester County) mit Conference between U.S. President gin took place here in 1967. The location in New York. Johnson preferred to meet cause it was equidistant between the two mit was referred to as the "Spirit of



is called "Summit City" because the Glassboro Summit Conference between U.S. President Lyndon B. Johnson and Soviet Premier Alexei Kosygin took place here in 1967. The location was chosen as a compromise. Kosygin wanted to meet in Washington, D.C. They agreed on Glassboro because it was equidistant between the two cities. The generally amicable atmosphere of the summit was referred to as the "Spirit of Glassboro."

- D Keansburg Borough (Monmouth County) is the "Gem of the Bayshore." Keansburg is part of the Bayshore Regional Strategic Plan, an effort by nine municipalities in northern Monmouth County to reinvigorate the area's economy by emphasizing the traditional downtowns, residential neighborhoods, maritime history, and the natural beauty of the Raritan Bay coastline.

- A Morristown Town (Morris County) has been called "the Military Capital of the American Revolution" because of its strategic role in the war for independence from Great Britain. Today this history is visible in a variety of locations throughout the town that collectively make up Morristown National Historical Park.

E



Jackson Township (Ocean County) is the third largest New Jersey municipality, covering over 100 square miles and with a population of nearly 60,000 residents. With its beautiful tree-lined neighborhoods, it is known by many as the "Gateway to the Jersey Shore," and is less than an hour away from New York City and Philadelphia. It is also home to the famous Six Flags Theme Parks.

- F Emerson Borough (Bergen County) is frequently referred to as "The Family Town." Beautiful parks and recreation areas abound and the shopping centers are modern and bustling with activity. The public schools offer challenging and dynamic curriculums and the popular public library provides numerous free programs that enhance and extend that commitment to education to the entire community. Taken as a whole, Emerson is true to its slogan: "One Team... One Mission... Borough of Emerson."

## 67th IIMC Annual Conference, held in the Taj Mahal Hotel in Atlantic City



Maryland Municipal Clerks' Association President Doug Barber having a conversation with former IIMC Region II Director Carol Jacobs during the All Conference Event.



HUAH!! General Session Speaker Retired Colonel Jill Morgenthau talking on "Leading From the Front: Leadership Among Chaos" during the 67th IIMC Annual Conference.

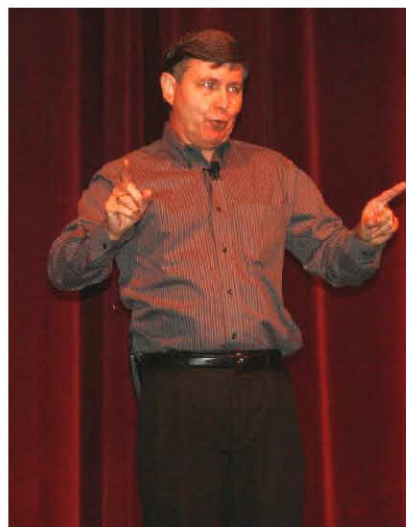


Englewood City Clerk Lauren Vande Vaarst; Garfield City Clerk Drew Pavlica; Saddle River Township Clerk Marie Elena Macari; Ho-Ho-Kus Borough Clerk Laura Borchers; (Seated): Norwood Deputy Borough Clerk Carol Donovan; Ramsey Deputy Borough Clerk Sherry Richards; and Ramsey Borough Clerk Meredith Bendian at the All Conference Event in the Mark Etness Arena.

General Session Speaker Colette A. Carlson talking on "The Truth About Communication: Leveraging Your Language for Maximum Results" during the 67th IIMC Annual Conference.



Region II Directors Kim Rau and Vinny Buttiglieri applauding a speaker during the Region II Meeting.



General Session Speaker Dr. Alan Zimmerman talking on "The Leadership Payoff: How the Best Leaders Bring Out the Best in Others ... And So Can You" during the 67th IIMC Annual Conference in the Taj Mahal Hotel in Atlantic City.

## 67th IIMC Annual Conference, held in the Taj Mahal Hotel in Atlantic City



The beginning of the 15th Annual MCEF 5K Walk on the Atlantic City Boardwalk with the famous Steel Pier ("The Showcase of the Nation") in the background.



Below: MCANJ Executive Director Joel Popkin makes a point while facilitating an education session on Municipal Budgets.



The "Unexpected Boys" performing with IIMC President Brenda Cirtin during the Opening Ceremonies of the 67th IIMC Annual Conference.

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# “SLOGANS OF NEW JERSEY”

Some municipalities were “First.” Some are our “Favorite.” And still others deal with the Past, the Present, or the Future. There are many colorful nicknames and slogans for New Jersey’s municipalities; and this series celebrates those Slogans. Each edition of the Quill, we’ll include some for you to enjoy. Test your knowledge by seeing if you can match the Municipality with the Slogan. Then turn to page 21 and see how you did! This issue’s theme celebrates slogans that share the message,

## “ALSO KNOWN AS ... (PART 2)”

\_\_\_\_ Burlington Township

\_\_\_\_ Byram Township

\_\_\_\_ Glassboro Borough

\_\_\_\_ Keansburg Borough

\_\_\_\_ Morristown Town

\_\_\_\_ Jackson Township

\_\_\_\_ Emerson Borough

A. Military Capital of the American Revolution

B. The Township of Lakes

C. The Coat Town

D. Gem of the Bayshore

E. The Gateway to the Jersey Shore

F. The Family Town

G. Summit City

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