

**MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.**

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



I hope this edition of our Quill finds you all well, having enjoyed the summer season and now enjoying the early days of autumn. In these ever changing times, MCANJ continues to be presented with challenges, adventures and even some pleasantries!

I am proud and thrilled to announce that Vincent Buttiglieri, MCANJ Past President and current IIMC Region II Director since 2011, has “thrown his hat in,” as they say, as a candidate for the position of IIMC Vice President. The Executive Board extends their support for his campaign and we encourage you all to support Vinny as well. Vinny has done so much for MCANJ. I am confident you all will join me in wishing Vinny a very successful campaign.

Our state government officials remain busy proposing, amending and approving changes to legislation that directly impact the office of the Municipal Clerk.

Despite our best efforts, the Common Sense Shared Services Bill S-533 passed both the Assembly and the Senate, and now sits on the Governor’s desk awaiting his consideration. As you may know, the bill was amended to be a Pilot Act and if enacted, will only apply to Camden, Morris, Ocean, Sussex & Warren counties. We fundamentally oppose this bill. Thanks to various efforts, including those of the NJLOM, there were some noteworthy amendments

made to the Bill. We are especially grateful to Lori Buckelew of the New Jersey League of Municipalities, who has spent countless hours with me and the Executive Board, providing amendment updates, talking out suggested amendments to pending legislation, and, simply put, being an incredible advocate for MCANJ and for municipal clerks.

I began with the Common Sense Shared Services Bill because I think it’s important that we, as professional municipal clerks serving the public and our elected officials, be mindful of what Common Sense is, or perhaps better stated, what it could be. Common Sense is defined by Merriam-Webster as “sound and prudent judgment, based on a simple perception of the situation or facts.” Voltaire, a French writer, wrote “Common Sense is not so common.”

Passage of the Common Sense Shared Services Act through the State Legislature has proven to us that Common Sense is indeed not so common, and we can see why Ralph Waldo Emerson said it was “as rare as genius!” Nevertheless, we, as municipal clerks serving our elected officials, residents, business owners and the general public, must not be tempted by negative attitudes. Rather, we must be steadfast in our commitment to excellence in service. Perhaps it would serve us well to keep in mind that Harriet Beecher Stowe, author of Uncle Tom’s Cabin, said, “Common sense is seeing things as they are; and doing things as they ought to be.” We may not always be able to change what is, but we can always control what we are, what we do, what our attitudes are and how our actions affect those we serve. Let’s continue to be the example of excellence in all we do, despite the obstacles we may encounter.

The GREAT NEWS is S-2433, providing for the MCANJ President or their designee to serve as a member of the Government Records Council, remains on Governor Christie’s desk awaiting his signature. This bill unanimously passed both houses. We had hoped the governor would have long since signed the bill, but we continue to be optimistic that he will, and at last the GRC will be blessed with an RMC from MCANJ as one of its members! If—WHEN signed, the bill would take effect immediately. AT LAST! Perhaps by the time you read this, it will have already gone into effect!

As for OPMA S-2511 and OPRA S-2512, we have received many resolutions from municipalities throughout the state opposing these bills and continue to encourage those that have not passed resolutions to do so. Your efforts do impact decisions being made. There have been some changes made and there are additional changes that Senator Weinberg is contemplating, to propose as further amendments to these bills, all of which improve the legislation.

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#### EDITORIAL STAFF:

EDITOR: Jim Doherty, Wantage Township (973) 875-7192 E-mail: [administrator@wantagetwp-nj.org](mailto:administrator@wantagetwp-nj.org)  
PEOPLE PAGE: Sharon Brienza, Branchburg Twp., (908) 526-1300 E-mail: [Sharon.Brienza@branchburg.nj.us](mailto:Sharon.Brienza@branchburg.nj.us)  
ADVERTISING: Joel Popkin, MCANJ Executive Director, (732) 609-6441 E-mail: [joelpopkin@optonline.net](mailto:joelpopkin@optonline.net)

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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

#### MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC. EXECUTIVE BOARD 2013

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1988: Elaine Wallace	2001: Sharon L. Brienza	2010: Vincent Buttiglieri
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Hunterdon:	Cecilia Covino, Clinton Town	Warren:	Kelley Smith, Harmony Township
Mercer:	Sharon Young, West Windsor Township		

#### DEADLINES FOR NEWSLETTER ITEMS

The deadline for People Page submissions for the January 2014 issue is December 2nd. 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](mailto:Sharon.Brienza@branchburg.nj.us) The General News Articles deadline is December 6th, and may be sent to: Jim Doherty, Township of Wantage, 888 Route 23, Wantage, NJ 07461 or via email: [administrator@wantagetwp-nj.org](mailto:administrator@wantagetwp-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 (Continued From Page 1)

In fact, a couple of weeks ago, thanks to the efforts of our 2nd Vice President Keith Kazmark, the Executive Board was able to meet with Jason Redd, Chief of Staff to Senator Loretta Weinberg. According to Mr. Redd, the Senator asked that he meet with MCANJ to hear our concerns, suggestions and feedback regarding these bills. Our meeting, by all accounts of the Executive Board and our Executive Director, went extremely well. These bills are not going away. The best case scenario would be that they are amended, to allow for reasonable implementation with the least negative affect on the service we provide.

Some of you may already know, - because we all know that word travels quickly through the grapevine! - Rutgers University notified us that they were "changing their relationship" with MCANJ, as it relates to our Education Committee. After much enthusiastic discussion among board members, Executive Director Joel Popkin, Education Committee Co-Chair Harold Weiner and I met with Alan Zalkind and Kathi Cupano, from the Center for Government Services, at Rutgers. We all assessed the meeting as constructive and informative. Although our relationship with Rutgers will change, the board remains optimistic that the relationship will be more productive moving forward. As a result, we are in the process of re-structuring our Education Committee, who has lined up the education sessions for this year's NJLOM Conference in November, with the help and guidance of our 1st Vice President John Mitch. The Education Committee continues to brainstorm for speakers and topics for MCANJ's 2014 Education Conference. Their work on our behalf is invaluable.

This year, like last, there will be continuing education credits offered at our Annual Meeting on Wednesday, November 20, 2013 at the TAJ MAHAL Hotel. Please note that we have changed the hotel from recent years. There will also be an election for MCANJ Secretary. We are very pleased that Tanya Goodwin, the Clerk in Swedesboro, Gloucester County and Kevin Galland, the Clerk in Woodland Park Borough, Passaic County, have decided to run for Secretary and volunteer their time for MCANJ. Tickets for the Annual Breakfast can be purchased from your County Advisory Board Representative, or you may contact Keith Kazmark at [kkazmark@elmwoodparknj.us](mailto:kkazmark@elmwoodparknj.us).

If you haven't already renewed your MCANJ membership, please go to our MCANJ website, where you can renew easily and quickly on line, thanks to the tremendous efforts of our Secretary, Denise Szabo. There are a couple of counties who already have 100% membership, though there are many that lag behind. The membership committees in the north, central and south have been making calls and following up with clerks who have not yet renewed. Your membership and your voice in our association is important, so please fill out that on line form and get the requisition to your finance office, ASAP. We need all of you! Let's get as close to 100% as we possibly can! Any questions regarding membership should be directed to Denise Szabo at: [dszabo@bernards.org](mailto:dszabo@bernards.org). Denise has worked very hard and has done a fantastic job with the new membership process and system. If you know a retired clerk who has not completed an on line membership form, please encourage them to do so. This is the best way to keep track of our retired members, so that we can continue to keep them informed of the association's progress.

If you haven't already renewed your membership in the Legal Defense Fund (LDF), please contact our Executive Director, Joel Popkin. In these precarious times, membership in the LDF is an inexpensive and worthwhile investment. The \$75.00 initial enrollment fee and the \$25.00 annual renewal fee are small prices to pay, if the time ever arises that you may need financial assistance for legal services.

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**ANNUAL BUSINESS MEETING AND BREAKFAST OF THE  
MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY  
WEDNESDAY, NOVEMBER 20, 2013  
9:00 a.m. - Trump Taj Mahal - Tiara Ballroom**

**Call to Order and Welcome:** NANCY L. SAFFOS, President, MCANJ; Municipal Clerk, Township of Cherry Hill

**Roll Call of Officers:** DINA ZAWADSKI, Secretary, MCANJ; Municipal Clerk, Deptford Township

**Flag Salute:** JOEL POPKIN, MCANJ Executive Director

**Invocation:** ANDREW J. PAVLICA, Immediate Past President, MCANJ; Municipal Clerk, City of Garfield

**Introduction of President's Guests:** NANCY L. SAFFOS, President, MCANJ; Municipal Clerk, Township of Cherry Hill

**Introduction of President-Elect's Guests:** JOHN M. MITCH, President-Elect, MCANJ; Municipal Clerk, Twp. of Woodbridge

**Approval of Minutes** – MCANJ Annual Business Meeting of December 12, 2012

**Reports:**

**Treasurer:** DENISE SZABO, Treasurer, MCANJ; Municipal Clerk, Township of Bernards

**Introduction of Candidates for 2014 Secretary** – DINA ZAWADSKI, 2013 MCANJ Secretary; Municipal Clerk, Township of Deptford, will introduce:

KEVIN V. GALLAND, Municipal Clerk, Woodland Park Borough

TANYA GOODWIN, Municipal Clerk, Swedesboro Borough

**Explanation of Voting Procedure and Commencement of Election for 2014 MCANJ Secretary:** SHARON YOUNG, Chair, Credentials Committee, MCANJ; Municipal Clerk, West Windsor Township

**Education Session:** Legislative Update - RICHARD LUSTGARTEN, Esq., MCANJ Legal Counsel; Goodman & Lustgarten

**Recognition of 2013 Committee Chairs:** NANCY L. SAFFOS, President, MCANJ; Municipal Clerk, Township of Cherry Hill

Constitution and Bylaws: HAROLD WIENER, Chair, Municipal Clerk, Irvington Township

Education: HAROLD WIENER, Chair, Municipal Clerk, Irvington Township and

SHARON YOUNG, Co-Chair, Municipal Clerk, West Windsor Township

Education Conference (IIMC): CHRISTINA WILDER, Co-Chair, Retired, Former Municipal Clerk Hamilton Township (Mercer) and

ALLAN SUSEN, Municipal Clerk, Haledon Borough

Elections: JANE WILLIAMS-WARREN, Chair, Municipal Clerk, Paterson City

Fundraising: DOREEN CALI, Chair, Municipal Clerk, Roselle Park Borough

Information Technology/Web Page: DAINA DALE, Chair, Municipal Clerk, Harvey Cedars Borough

Legal Defense Fund: SHARON BRIENZA, Chair, Municipal Clerk, Branchburg Township

Legislative Committee for Laws Pertaining to the Municipal Clerk's Profession: KIM-MARIE WHITE, Chair, Municipal Clerk, Easthampton Township

Manual Review: JOEL POPKIN, Coordinator, DEANNA BENNETT, Editor, Municipal Clerk, Haddonfield Borough

Membership North: SALLY BLEEKER, Chair, Municipal Clerk, Franklin Lakes Borough

Membership Central: CECILIA COVINO, Chair, Municipal Clerk, Clinton Town

Membership South: DENISE BROUSE, Chair, Municipal Clerk, Merchantville Borough

Past Presidents' Council: ANDREW J. PAVLICA, Chair, Municipal Clerk, City of Garfield

Professional Development and Mini Conferences: JOANNE M. KWASNIEWSKI, Chair, Municipal Clerk, Fair Lawn Borough

North: AMY LOBBAN, Municipal Clerk, Sandyston Township and

JOANNE M. KWASNIEWSKI, Municipal Clerk, Fair Lawn Borough

Central: DIANE PFLUGFELDER, Municipal Clerk, Liberty Township and

ANN MARIE MCCARTHY, Municipal Clerk, Franklin Township

South: ROY DUFFIELD, Municipal Clerk, Woodbury City and

SUSAN ROBESTELLO, Millville City

Public Relations / MCANJ Booth: CECILIA COVINO, Chair, Municipal Clerk, Clinton Town

Quill: JAMES DOHERTY, Editor, Municipal Clerk, Wantage Township

Raffles: HEATHER MAILANDER, Chair, Municipal Clerk, Ridgewood Village

Records: ELAINE B. KENNEDY, Chair, Retired, Former Municipal Clerk, Eagleswood Township

Resolutions: SANDRA BOHINSKI, Co-Chair, Municipal Clerk, Helmetta Borough and

MARIE ELENA MACARI, Co-Chair, Municipal Clerk, Saddle River Borough

Scholarship: KAREN HUGHES, Chair, Municipal Clerk, Westwood Borough

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**ANNUAL BUSINESS MEETING AND BREAKFAST OF THE  
MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY  
WEDNESDAY, NOVEMBER 20, 2013, 9:00 am - Trump Taj Mahal - Tiara Ballroom  
(Agenda continued from Page 4)**

**Announcement of Scholarship Winners:** KAREN HUGHES, Chair, Municipal Clerk, Westwood Borough

**Tribute to Retired Members:** MARIE ELENA MACARI, Co-Chair, Municipal Clerk, Saddle River Borough

**Tribute to Deceased Members:** SANDRA BOHINSKI, Co-Chair, Municipal Clerk, Helmetta Borough

**Recognition of 2013 CMC and MMC Awards:** VINCENT BUTTIGLIERI, IIMC Region II Director;  
Municipal Clerk, Ocean Township (Monmouth)

**Recognition of Instructors of Municipal Clerks Courses:** PAMELA MORLEY-CHAPPELLE,  
Associate Program Specialist, Rutgers University

**Announcement of 2012/2013 Registered Municipal Clerks Certification Recipients:** HAROLD WIENER, Municipal Clerk,  
Irvington Township; Chair, Education Committee

**\*\*Reminder to RMC/CMC/MMC Recipients: Please remain after the meeting  
for photographs for our Quill & to receive your RMC pin. \*\*\***

**Presentation of L. Manuel Hirshblond Distinguished Service Award:** NANCY L. SAFFOS, President, MCANJ;  
Municipal Clerk, Township of Cherry Hill

**Presentation of Friend of the Municipal Clerk Award:** NANCY L. SAFFOS, President, MCANJ;  
Municipal Clerk, Township of Cherry Hill

**State of the Association Address:** NANCY L. SAFFOS, President, MCANJ; Municipal Clerk, Township of Cherry Hill

**Presentation of the 2013 Municipal Clerk of the Year Award:** ELAINE B. KENNEDY, 2012 MCANJ Municipal Clerk of the  
Year; Retired, Former Municipal Clerk, Eagleswood Township

**Announcement of Election Results for 2014 MCANJ Secretary:** SHARON YOUNG, Chair, Credentials Committee,  
MCANJ; Municipal Clerk, West Windsor Township

**2014 Slate of Officers:** DINA ZAWADSKI, 2013 Secretary, MCANJ; Municipal Clerk, Deptford Township

**Motion to Cast Ballot for Slate of Officers:**

<b>President</b>	JOHN M. MITCH, Township of Woodbridge
<b>1st Vice President</b>	KEITH KAZMARK, Elmwood Park Borough
<b>2nd Vice President</b>	DENISE SZABO, Bernards Township
<b>Treasurer</b>	DINA ZAWADSKI, Deptford Township
<b>Secretary</b>	To Be Announced
<b>Immediate Past President</b>	NANCY L. SAFFOS, Township of Cherry Hill

**Administration of Oath to Officers:** THE HONORABLE JOHN E. McCORMAC, Mayor, Township of Woodbridge

**Acknowledgements to President Nancy L. Saffos:** JOHN M. MITCH, President-Elect, MCANJ;  
Municipal Clerk, Township of Woodbridge

**Remarks by President-Elect:** JOHN M. MITCH, President-Elect, MCANJ; Municipal Clerk, Township of Woodbridge

**Acknowledgements to President-Elect JOHN M MITCH:** NANCY L. SAFFOS, President, MCANJ;  
Municipal Clerk, Township of Cherry Hill

**Drawing of Raffle Winners**

**Adjournment**

**IMPORTANT NOTICE: MCANJ EXECUTIVE BOARD ELECTION FOR SECRETARY**

An Election will take place at the Annual Business Meeting of the MCANJ on Wednesday, November 20, 2013 at the Tiara Ballroom in the Trump Taj Mahal. The purpose of the Election is to determine who will fill the position of Secretary on the MCANJ Executive Board for the year 2014. Only Dues-paying Members are eligible to cast a vote in the Election for Secretary to the MCANJ. The election will be one of the first items on the agenda at the Business meeting. Make sure you get to the meeting early, so you do not miss the election. For a detailed explanation of the MCANJ Election Process, see page 18 of this issue of the Quill.

## MEET YOUR CANDIDATES FOR MCANJ SECRETARY:

### KEVIN GALLAND



Permit me to introduce myself as a candidate for the position of Secretary of the Municipal Clerks' Association of New Jersey.

Presently I am the Municipal Clerk for the Borough of Woodland Park and have been for the past seven years. I also hold the additional positions of Administrator, Deputy Registrar and Purchasing Agent. Like most of us, more titles and responsibilities than the average person can handle, but then again Municipal Clerks are not your average person. Previously I have served as the Acting County Administrator/Purchasing Agent in Essex County and the Purchasing Agent for Bergen County. My public sector career also includes twelve years as a Councilman in the Borough of Glen Rock, and prior to becoming employed in the public sector, I worked in the "Bell System" for twenty-five years. My Public Sector Certifications include: RMC; CMR; N.J. State – Qualified Purchasing Agent; N.J. State – Certified County Purchasing Official; Rutgers – Registered Public Purchasing Official; and N.J. State School Business Administrator's Certificate of Eligibility. My formal education includes a Master of Public Administration in Government; a Master of Business Administration in Accounting; and a Master of Arts in Economics.

I am presently serving as Treasurer for the Passaic County Municipal Clerks' Association and have served in that capacity previously. I have served on the

Legislative Committee of the Governmental Purchasing Association of New Jersey; State of N.J. Department of Treasury's Cooperative Purchasing Council; President – National Institute of Governmental Purchasing – New Jersey North Local Chapter; Vice Chairman and Chairman of the N.J. Association of County Purchasing Officials; and Lecturer at the Bergen County Department of Parks Conference and the North Jersey NIGP Forums. I am also a former Adjunct Instructor for Rutgers, Center For Government Services – Public Purchasing. Many of you or your municipality's purchasing agent may have sat in on my Public Purchasing classes.

I am a member of the IIMC, have met all of the CMC Designation requirements and await my membership eligibility date, which is early next year. I am currently attending classes in order to achieve the MMC Designation.

On a personal note, my wife and I have been married for over forty-four years; we have two children and six grandchildren. After volunteering for many organizations over many years my focus is now the grandchildren. Attending our grandchildren's basketball, baseball and softball games consumes many late afternoons, evenings and weekends.

If elected to the office of Secretary of our Association, I pledge to fully support our organization as all of you have done for many years; encourage membership participation at our annual Municipal Clerks' Conference; promote professionalism and recognition of the office we hold; encourage more frequent mini conferences; and most importantly strive to work with Rutgers to provide us with more dedication and better training and courses to achieve the IIMC's CMC and MMC certifications. I believe I would be a great addition to our great Executive Board and I respectfully request your consideration to vote for me for the position of which I am seeking.

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## MEET YOUR CANDIDATES FOR MCANJ SECRETARY:

### TANYA L. GOODWIN



It is with pleasure and excitement that I introduce myself, Tanya Goodwin, as a candidate for Secretary of the Municipal Clerks' Association of New Jersey. I am the Municipal Clerk and Registrar for the Borough of Swedesboro and a resident of neighboring Woolwich Township.

Prior to municipal government, I worked as a medical transcriptionist and proudly note that I have been working with the same doctor for 26 years. I have had the rare opportunity of working my way to the prestigious position of Municipal Clerk for the Borough of Swedesboro. When I was hired over 10 years ago, it was for the position of Deputy Clerk. Over the years, I have held many positions and have a working knowledge of all aspects of municipal government. I have held the positions of Deputy Clerk, Treasurer, Utility Clerk, and Deputy Tax Collector.

I obtained my registered Municipal Clerk certification in 2008 and was appointed to the position in 2010. As education in this field is instrumental, I plan to pursue the Certified Municipal Clerk designation, as well as the Master Municipal Clerk Designation. I am an active member of MCANJ, IIMC, and the Gloucester County Municipal Clerks' Association, where I am on the Election sub-committee.

In the short time that I have been the Clerk, amongst other things, I have updated our municipal code book thereby allowing the Borough to be involved with E-Code. I have been instrumental in establishing a record management program, as

well as initiating the Laserfiche program through General Code. I also started a Student Summer Intern program in 2013 to teach students all aspects of municipal government with hopes of them getting involved in the future.

I am committed to my position as Municipal Clerk and I am always looking for ways to better myself. Through education and working with organizations, such as the Municipal Clerks' Association of New Jersey, I am dedicated to broadening my knowledge and assisting other Municipal Clerks.

In conclusion, I am devoted, reliable, and trustworthy. I have held two jobs in my lifetime, both of which I still currently hold. In addition to my work ethic and commitment to my position, I am also dedicated to my family. I have two children, both of whom are in college, and I have been married to my husband for 25 years. Throughout my children's lives, I have been actively involved in coaching their teams, running organizations, sitting on boards, joining the PTA, etc.

With the support of my family, friends and coworkers, I am able to perform my duties and strive to pursue more endeavors in my career and personal life.

Should I be lucky enough to win this election, I will dedicate my time and make a commitment to the Executive Board of this prestigious association, known to the State as the Municipal Clerks' Association of New Jersey.

If given the opportunity it would be my pleasure to serve you.

Tanya L. Goodwin, RMC  
Municipal Clerk  
Borough of Swedesboro  
(Gloucester County)



# VOTE TALLIES: WHO'S COUNTING?

*by Richard Lustgarten, MCANJ Legal Counsel*



As you know, New Jersey is a hodgepodge of different forms of government each having a uniqueness with respect to its structure but all subject, of course, to general law. The different forms are: Township, Town, City, Borough, Village, Commission, 1923 Municipal Manager, the various Faulkner plans and municipalities established by special charter.

My research indicates that there are five types of local governments and 12 forms of local governments so that some areas of New Jersey are administered significantly differently than others. This article will discuss the issue of how you count an abstention by a Councilmember and the following principles should generally apply to all municipalities regardless of how they are constituted.

At the outset I am reminded that Emerson is quoted for the pearl of wisdom, “A foolish consistency is the hobgoblin of little minds.” I refer to him because in reviewing various statutes enacted by the New Jersey Legislature over the years, despite whatever other foolishness it may have engaged in, it has certainly not been consistent in the language it has used when setting forth the required vote to adopt certain legislation. For example, in the Local Budget Law, it is “adopted by not less than a full majority of the governing body.” In the Local Bond Law, to adopt a bond ordinance, “affirmative votes of at least 2/3 of the full membership of the governing body” is required. In the Borough form of government, an ordinance is “adopted by a majority of members of the council present provided there are at least 3 affirmative votes.” In the same subsection of this statute, the council may override a veto of the mayor by a “2/3 of all members of the council.” Please note the Legislature did not repeat the word “present,” although it used such language in the council’s voting authority to adopt the ordinance.

While there is clearly inconsistency of language, and the interchange of the phrases “majority of governing body,” “majority of members of the council,” and “full membership,” we can glean a sense that the Legislature intended for a majority of the elected governing body to vote in the affirmative to adopt specific legislation. (Please note that these are just a few examples, and if you peruse through Title 40 and Title 40 A more examples can be extracted). As will be seen below in the discussion of two cases that were recently decided, the question of what vote is required to adopt or pass a particular motion is not solely limited to the adoption of ordinances.

Also, it should be remembered that the adoption of a resolution is not so restricted by statute and what constitutes a majority vote for the adoption of a resolution may not necessarily mean a majority of the full membership of the governing body. For example, if you had a Council of 5 members, three members would constitute a quorum. If only three members attended a particular meeting, and a resolution was approved on a 2-1 vote, it is my opinion, and that shared by many other municipal attorneys, that the resolution would be adopted. Obviously the converse is true and the resolution would fail if a statute required a majority of the full membership of the governing body since that number, by simple math, requires three “Yes” votes.

When starting out as a municipal attorney many years ago, I was advised that the general rule of treating abstentions was simply as follows: If the abstainer did not take a position on a particular question, the abstention counted with the majority or, at the very least, would not be counted against the majority vote. Over time it became clear to me that this was an incorrect statement, and a misunderstanding of the discussion of abstentions in Robert’s of Rules of Order.

As we know, when municipalities do not wish to enact specific policies and procedures for their meetings, and understanding that the municipality could not adopt anything contrary to State statute, the typical municipality ‘defaults’ to its procedure being governed by Robert’s Rules.

I believe the misconception comes from that section of Robert’s Rules relating to voting where it states, “While it is the duty of every member who has an opinion on the question to express it by his vote, yet he cannot be compelled to do so. He may prefer to abstain from voting, though he knows the effect is the same as if he voted on the prevailing side.” This statement, of course, does not indicate that the abstainer actually voted on the prevailing side, but by not voting against the question, the vote on the question is not altered in any way by the abstainer. In addition, older case law and the common law generally stated or inferred that abstentions were counted with the prevailing side and that view further muddled the waters.

Modern thinking clearly indicates an “abstention vote” is an oxymoron because it is no vote at all one way or the other.

With the above as background, a discussion of the following two cases will hopefully clarify the current rules relating to abstentions (notice I didn’t say abstention votes) in New Jersey.

*Continued on Page 9*



## VOTE TALLIES: WHO'S COUNTING?

*by Richard Lustgarten, MCANJ Legal Counsel*

*Continued from Page 8*

These cases were decided on July 5, 2013 in the Appellate Division, one arising from an appeal from Essex County and another from an appeal from Hudson County.

In the case of *Zimmer v Castellano*, the issue involved filling a vacant City Council seat. Under the Faulkner Act, Hoboken maintains a Mayor/Council form of government with a governing body of 9 Councilmembers and a Mayor. One of the Councilmembers resigned and on the effective date of the resignation 7 of the 8 remaining Councilmembers attended a meeting to fill the vacancy. An individual was nominated pursuant to the statutory procedure. The vote to appoint was four 'yes', two 'no' and one abstention. (Under the Municipal Vacancy Law, a majority of the remaining Councilmembers is required to fill the vacancy). Apparently realizing this, the four 'yes' Councilmembers argued that the 'no' votes plus the abstention, plus the eighth member being absent equated to four 'no' votes, thus resulting in a tie, permitting the Mayor to break the tie. In fact, this is what the Mayor did and voted affirmatively for the nominee (rather a clever argument, but ultimately unpersuasive nonetheless).

The Council repeated the same action approximately two weeks later for reasons that are not fully disclosed in the opinion. The same positions were taken and the Mayor broke the '4-4' tie. Councilmembers who voted 'no', abstained or were absent, filed a complaint to void the filling of the vacancy and the trial court determined that neither of the two votes resulted in a tie and therefor the Mayor was not authorized to "break it."

Procedurally, there was no appeal from this trial court decision. Rather, a second suit was instituted by those who voted for the nominee, requesting a Court order that all remaining Members of the Council appear at a meeting and that an abstention should be counted as a negative vote. (There were some issues about statutory deadlines to take the vote but the Court tolled the deadline and issued the requested order.) The outcome was the same and afterwards the trial Judge ruled that the negative votes and the abstentions would be treated as a tie and the Mayor's vote was proper.

Hoboken procedural rules defer to Robert's Rules of order because it had no specific rule regarding the meaning of an abstention. On appeal the Court determined that the Trial Court was incorrect in that abstentions do not count as 'no' votes and in fact was also incorrect in ordering the remaining Council Member's to re-vote because the Vacancy Law is a "may fill" rather than a "shall fill the vacancy" statute. The Appellate Division clearly indicated that the four 'yes' votes were insufficient because the Vacancy Statute requires a majority of the remaining Councilmembers to fill the vacancy, which in this case would be a fifth 'yes' vote.

In my opinion the most important part of the Appellate Division ruling is as follows: The Court stated that a governing body can adopt procedural rules that are to be given effect so long as they are not inconsistent with a specific ordinance or a statute. In the case of Hoboken, its rules of procedure did not define what it means to abstain and therefore the Appellate Division looked to Robert's Rules of Order since the utilization of same was, in fact provided in Hoboken's rules.

The Appellate Panel indicated that Robert's Rules declares that to abstain means not to vote at all. The Panel disagreed with the Trial Judge who had referenced the Robert's Rules section, as I have stated it above, that an abstention may at times have the same effect as a negative vote. Clearly, this is a misinterpretation of the definition of an abstention because it gives great weight to the words that an abstention has the 'same effect as a negative vote.' Robert's Rules does not state that an abstention is a 'no' vote, only that it may have the same effect as a 'no' vote - a major distinction.

The Appellate Division affirmed the current understanding that an abstention is really not a vote at all and therefore is not counted as either a 'yes' or 'no' regardless of what its effect may have on the ultimate outcome of the question presented.

The second case is *Booker v Rice* arising out of the City of Newark. Similar to the Hoboken case, a Councilmember resigned and the remaining eight Councilmembers met to appoint a replacement. Referencing the Vacancy Statute, the Appellate panel indicated that five affirmative votes, which is a majority of the remaining Council Members (the Council consists of 9 members) was required to fill the vacancy.

**"The Appellate Division affirmed the current understanding that an abstention is really not a vote at all and therefore is not counted as either a 'yes' or 'no' regardless of what its effect may have on the ultimate outcome of the question presented."**

*Continued on Page 11*

# “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 17 and see how you did! This issue’s theme celebrates slogans that share the message,

## “PAST, PRESENT AND FUTURE”

- |                       |                                                           |
|-----------------------|-----------------------------------------------------------|
| ____ Hackensack City  | A. Today’s People; Tomorrow’s Progress                    |
| ____ Wantage Township | B. An Historical Past, Fascinating Present, Bright Future |
| ____ Andover Township | C. A Pioneer Community                                    |
| ____ Haledon Borough  | D. History, Community, Family, Tradition                  |
| ____ Newton Town      | E. Envisioning the Future                                 |
| ____ Elizabeth City   | F. A City in Motion                                       |



The Maryland Clerks Association will once again host the IIMC Region II Conference on January 15-17, 2014, at the Comfort Inn & Conference Center in Bowie, MD. The room rate will be \$100.80 per night. The registration cost will be posted on the IIMC website in the near future along with registration forms.

*If you have any questions please contact 2014 IIMC Region II Conference Committee Co-Chairs:*

**Stacy Wilkerson (North Beach, MD) at 301-855-6681**  
**Jessica Barnes (Riverdale Park, MD) at 301-927-6381**  
**Doug Barber (Rockville, MD) at 240-314-8282**



## VOTE TALLIES: WHO'S COUNTING?

*by Richard Lustgarten, MCANJ Legal Counsel*

*Continued From Page 9*

In this case, the proposed replacement candidate received four 'yes' votes and three 'no' votes after an eighth Councilmember had left the meeting prior to the vote. The Council determined that the eighth Councilmember's departure was in fact a 'no' vote which therefore created a 4-4 tie authorizing the Mayor to vote - which he did in the affirmative. (Again, a clever argument - but wrong). The Trial Court entered an order compelling various Councilmember defendants to appear at a special meeting wherein the nominee received four 'yes' votes, 'two 'no' votes, and two abstentions. Again, treating and counting abstentions as 'no' votes, the Mayor broke the tie in favor of the nominee.

**“The bottom line is: abstentions are not votes and are simply not counted in the tally of ‘yes’ and ‘no.’”**

The Trial Court found that Newark's rules of practice stated that an abstention is neither a 'yes' nor a 'no' vote and therefore there was no tie and consequently the nominee did not receive the necessary five affirmative votes. The Appellate Division agreed with the Trial Court that there was no tie, and therefore the Mayor's vote was inappropriate. Since Newark's rules of procedure were extremely clear that an abstention was neither a 'yes' nor 'no' vote the Appellate Division had an easy time of declaring that there was no tie to be broken.

The Appellate Division also indicated that reviewing earlier cases regarding the impact of an abstention was not clear and in fact was sometimes confusing. The Appellate panel stated that Newark's definition of abstention being neither a 'yes' or 'no' was not inconsistent with recognized law and does not violate any New Jersey statute. Therefore, the panel indicated that Newark's local rules were dispositive of the issue. Of further note, the Court rejected the argument that the abstentions were intended to manipulate the outcome or related to some political agenda. An abstention was to be taken at face value.

Rejecting arguments to the contrary, the Court indicated that there were actually three choices before the governing body. First, it could vote for the nominee; second, it could vote against the nominee; or third, it could choose to leave the seat open and have it filled at the next appropriate election pursuant to the Vacancy Statute - hence use of an abstention.

The bottom line is: abstentions are not votes and are simply not counted in the tally of 'yes' and 'no.'

A lingering question, however, is whether the outcome in Booker would have been the same if local rules had not defined an abstention as a non-vote. The Trial Court referenced the Faulkner Statute that empowers a Council to adopt its own procedural rules as long as they are not inconsistent with applicable statutes or ordinances. The Trial Court indicated that Newark's rules did not conflict with the Faulkner Act nor the Municipal Vacancy law as neither statute addresses the legal effect of an abstention. Remember, in the Hoboken case its procedure did not have an explanation of what it means to abstain and therefore the Court looked to Robert's Rules which was applicable pursuant to Hoboken's rules.

So the specific outstanding question is, what would happen if a municipality's local rules defines an abstention as a 'no' vote? That case has yet to be decided. Nevertheless it is my opinion, based on the sense of the Legislature in requiring a certain numerical minimum in various statutes that have been enacted, that even if a municipality had a local rule that an abstention is to be counted as a 'no' vote, or even as a 'yes' vote for that matter, the rule of procedure would be invalid because the local municipality is creating a new definition of what is an affirmative vote but Robert's Rules of Order and these two cases clearly indicate that the abstention is really treated as a non-vote so it is not counted in any way on the question.

While I referenced the erudite Emerson above, I will leave you with a quote from Charles Lutwidge Dodgson, otherwise known as Lewis Carroll. In his novel, which we generally call Alice in Wonderland (appropriate title Through the Looking Glass and What Alice Found There and his other novel Alice's Adventures in Wonderland), we find the following:

“When I use a word,” Humpty Dumpty said, in rather a scornful tone, “It means just what I choose it to mean - neither more nor less.”

“The question is,” said Alice, “whether you can make words mean so many different things.”

“The question is,” said Humpty Dumpty, “which is to be master - that's all.”

I abstain on who's position is better! Happy Fall and see you in AC.

Richard A. Lustgarten, Esquire  
Goodman & Lustgarten  
12-28 Burbank Street  
Fair Lawn, New Jersey 07410



## PEOPLE PAGE

*by Sharon Brienza*



### RETIREMENTS

Elaine Kennedy (pictured right) retired from Eagleswood Township in July. Elaine was President of the MCANJ in 2006, and was chosen Clerk of the Year in 2012. Elaine has also served as President of the Ocean County Municipal Clerks' Association, and serves as an Instructor for the New Jersey Registered Municipal Clerk Courses offered through Rutgers University. Elaine has been an MCANJ Education Conference Co-Chair, and is praised as a Pioneer for our Association in regard to Education. Under her leadership, the Finances of the MCANJ were vastly improved and the Association has been on sound financial footing from her Presidency forward, giving the MCANJ the resources to better serve our members. Elaine has chaired and served on several MCANJ Committees, including serving as Chair of the Records Committee.

Elaine has achieved the prestigious designation of Certified Municipal Clerk by the International Institute of Municipal Clerks. We wish her the best upon her retirement.



Bette Mastropasqua (pictured at left) retired at the end of August, 2013. Bette was selected Municipal Clerk of the Year for 2003. Bette worked her way through the chairs for the Executive Board of the Ocean County Municipal Clerks' Association, and has served the MCANJ in numerous capacities during her career, including Advisory Board, Legal Defense Fund, Constitution and By Laws, Legislative Committee, and Web page/Information Technology. Bette also was the People Page Editor of the Quill for many years, and has received the "President's Award" by the NJ League of Municipalities. Congratulations on a wonderful career, Bette!

Betty Silvestri (pictured at right) has provided the Borough of South Toms River (Ocean County) with 42 years of public service; 40 of them as Municipal Clerk. During her long and wonderful career, Betty has also served several terms as President of the Ocean County Municipal Clerks' Association. She has also served as Vice Chair of the Ocean County Economic Development Block Grants Program for 15 years. Betty will most likely be spending time in retirement on Bus Trips, which she loves, when she is not spending time with her three children and two grandchildren, who she loves even more!



Pat Ryan (pictured left) retired from her position as City Clerk for Bordentown City (Burlington County) on July 31, 2013, after 40 years. Pat was appointed City Clerk, Finance Officer and Registrar in April, 1984 and has served the community in various roles since that time. In addition to her RMC and CMC, Pat also received the Certified Public Manager's designation in 1991 through Rutgers University. Pat served on the Executive Board of the Burlington County Municipal Clerks Association serving as President, Vice President, Secretary and Treasurer. Pat will continue to serve on the Economic Development Committee and as well as serving on the Old City Hall Restoration Project as Co-Chair. Travelling plans are in her future as well where she and her husband have planned a European cruise next spring.

## CONGRATULATIONS!



## PEOPLE PAGE, Continued

*by Sharon Brienza*

### RETIREMENTS, Continued

We offer our belated congratulations to former Upper Township Clerk Wanda Gaglione (pictured at right) who retired on November 30, 2012, after 30 years of public service at Township Hall. During her tenure she served in many capacities including Municipal Clerk, Personnel Officer, Registrar and Planning and Zoning Board Secretary. Wanda selflessly performed her duties with dedication and professionalism and always with a smile. "We will miss her very much," said Mayor Richard Palombo. "She positively affected the lives of a lot of residents." Wanda referred to her retirement as bittersweet, saying she had worked in Upper Township "long enough to see the township change from a little country town to a major force in the county and more importantly a power to be taken seriously in Trenton." Barbara Young, who had been serving as Deputy Township Clerk, was sworn in to a three-year term as municipal clerk on Friday, Nov. 30, 2012.



The 68th Annual IIMC Conference will be held in Milwaukee, Wisconsin. It is going to be flooded with education, networking, and good times. Plan for it now! Visit the IIMC Website: <http://www.iimc.com>

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## PEOPLE PAGE, Continued

*by Sharon Brienza*

### ANNIVERSARY/WEDDING:

Heather Mailander (Village of Ridgewood, Bergen County) and her husband Steve celebrated their 25th Wedding Anniversary on October 22.

Denise Cicerelle, Franklin Township (Warren County) on her marriage to Lee Becton on August 18th, 2013.

Congratulations to you both!

### CONDOLENCES TO:

Municipal Clerk Karen Padva (Township of River Vale, Bergen County) whose mother passed away in June.

Shelia Oberly (Township of Oxford, Warren County) on the loss of her Mother-In-Law.

Laurie Barton, (Borough Of Alpha, Warren County) for the loss of her Father.

Wanda Kutzman (Township of Pohatcong, Warren County) on the loss of her Grandmother.

### NEW GRANDDAUGHTER

Maria Dellasala's, (Millstone Township, Monmouth County) granddaughter Liana was born on March 5, 2013 and is now seven months. How adorable!



### JUST FOR THE FUN OF IT

Richie and I parasailing in the beautiful waters of Key West, FL.

Ceil Covino (Borough of Clinton, Hunterdon County) surprised her husband, Mike, with a trip to Alaska in June to celebrate Mike's 60th Birthday.



Below: Ceil and Mike with son Mickey at his wedding on August 9, 2013 at St. Andrews Church in Newtown, PA.



MCANJ Executive Director Joel Popkin setting an example by going "green" and saving gas by driving a Scooter around his Ocean Grove Neighborhood. He is seen here after helping "Restore the Shore" by visiting the 2013 Belmar Seafood Festival back in June.





## PEOPLE PAGE, Continued

by Sharon Brienza

### OCEAN COUNTY NEWS

Pictured At Left: Elaine Kennedy, Bette Mastropasqua and Betty Silvestri at the Ocean County Municipal Clerks' Association quarterly meeting & dinner, held at the River Rock Café in Brick, celebrating their retirements. Since Elaine was the Association president and retired on July 1, Mary Madonna, Vice President, presided at the meeting. During the business meeting she honored & congratulated all three retirees and presented them with garden dishes and gift cards from the Association.

### TRANSITIONS

Beachwood Borough (Ocean County): Sue Minock moves from Deputy Clerk to Borough Clerk, filling the shoes of Bette Mastropasqua. Congratulations and best wishes to you on your appointment Sue!



Bordentown City (Burlington County): Grace Archer (pictured below) has moved up from her Deputy Clerk position and has replaced Pat Ryan as City Clerk and Registrar.



Wildwood Crest Borough (Cape May County): Janelle M. Holzmer (above, on the right) was appointed as the new Borough Clerk on July 1, 2013, replacing Kevin Yecco (above, left) upon Kevin's retirement. Patricia Feketics (pictured below, with husband John) has been appointed the new Deputy Municipal Clerk.



Mountain Lakes Borough (Morris County): Michele Reilly (above) was appointed Borough Clerk and Registrar on May 1, 2013. Michele was previously the Borough's Deputy and Acting Clerk, and replaces former Clerk Christina Whitaker.

Township of Upper (Cape May County): Barbara Young (pictured at right), the Township's former Deputy Clerk, replaces Wanda Gaglione as the Municipal Clerk. Barbara has worked in the Clerk's office since 2002.

**Congratulations and good luck to all!**





## Vincent Buttiglieri Announces Candidacy for IIMC Vice President

At the 2013 IIMC Annual Conference in Atlantic City, I announced my candidacy for Vice President of the International Institute of Municipal Clerks in 2014.

I have been honored to serve as your IIMC Region II Director for the past three years. During that time I have gained valuable knowledge about the workings of this association and a better understanding of the value it plays in all of our professional lives.

The IIMC, whose membership exceeds 9,500 professionals world-wide, provides first-class educational opportunities, networking, and support from a staff whose only goal is to serve our membership. The IIMC has been fortunate to have had tremendous leadership in the past and I am eager to assist the organization in moving forward in the positive direction to which we have become accustomed.

New Jersey has always been a leader within the IIMC family, having had six Municipal Clerks rise to the position of Vice President, and ultimately to its President. Each one represented New Jersey and IIMC with distinction. I hope to do the same.

In the months leading up to the 2014 IIMC Annual Conference in Milwaukee, Wisconsin, I will be meeting with the membership and sharing my vision for the future of IIMC, including maintaining our financial stability, enhancing our education programs, and increasing our membership both in the States and abroad. I look forward to discussing my candidacy and the future of IIMC with you.

If you would like to assist me in my efforts, please make checks payable to IIMC Vice President Campaign Fund and mail it to my attention, Township of Ocean, 399 Monmouth Road, Oakhurst, NJ 07755. Please feel free to contact me at [vinnybforvp@yahoo.com](mailto:vinnybforvp@yahoo.com) and visit my candidate information website at: [www.vinnybforvp.com](http://www.vinnybforvp.com). Thank you, in advance, for your support.

Vincent Buttiglieri, RMC/MMC  
IIMC Region II Director  
Municipal Clerk/Deputy Tax Collector  
Township of Ocean  
(732)531-5000 ext. 3321  
(732)531-5286 (fax)  
[vinnybforvp@yahoo.com](mailto:vinnybforvp@yahoo.com)

In his spare time at the IIMC Conference, Vinny helped with water bottles and traffic control during the MCEF Walk Run Fundraiser in Atlantic City on May 19, 2013.



Vinny was presented with the L. Manuel Hirshblond Distinguished Service Award on December 12, 2012

### MCANJ EDUCATION SESSIONS AT THE NJ LEAGUE OF MUNICIPALITIES CONVENTION

**MCANJ will present the following three sessions during the League Conference in November. These three sessions will offer CEU credit opportunities in Records, Ethics, Finance and Licensing. Application has been made to the New Jersey Department of Community Affairs for CEU approvals. Other sessions will be offered through the NJLM which will also offer CEU opportunities.**

Tuesday, November 19, 2013: "Path to a Paperless Council Meeting."  
2:00 – 3:40 pm, Room 414, Convention Center. Contact Hours: RMC 2.0 Records

Wednesday, November 20, 2013: "MCANJ Annual Business Meeting."  
9:00 – 11:40 pm, Trump Taj Mahal, Tiara Ballroom  
Contact Hours: RMC 1.0 Ethics; RMC 1.0 Finance

Thursday, November 21, 2013: "Get The Facts About ABC Regulations"  
10:45 a.m. – 12:00 p.m. – Room 414 – Atlantic City Convention Center  
Contact Hours: RMC 2.0 Licensing

**FOR A COMPLETE LISTING OF SESSIONS BEING OFFERED AT THE NEW JERSEY LEAGUE OF MUNICIPALITIES CONVENTION IN NOVEMBER, WHICH WILL PROVIDE CONTINUING EDUCATION CREDIT FOR MUNICIPAL CLERKS, VISIT THE NEW JERSEY LEAGUE OF MUNICIPALITIES WEBSITE: <http://www.njslom.org/98thconf/>**



## SLOGANS OF NEW JERSEY: “PAST, PRESENT FUTURE”

Here are the answers to the Matching Challenge shown on Page 10

- F Hackensack City (Bergen County) is considered “A City in Motion” due to its great diversity of neighborhoods and land uses existing in very close proximity to each other. Within its borders are a massive medical center, a trendy high-rise district about a mile long, classic suburban neighborhoods of single-family houses, stately older homes on acre-plus lots, older two-family neighborhoods, large garden apartment complexes, industrial areas, the Bergen County Jail, a tidal river, Hackensack River County Park, Borg's Woods Nature Preserve, various city parks, large office buildings, a major college campus, a small-city downtown district with a Courthouse, and various small neighborhood business districts.
- D Wantage Township (Sussex County) celebrated its 250<sup>th</sup> Anniversary as a New Jersey municipality in 2004, and as a part of its celebration, this rural, residential community with bountiful farmland held a contest inviting citizens to submit a motto that would capture the essence of its people. Embracing the obvious, the winning entry became “History, Community, Family, Tradition.”
- A Andover Township (Sussex County) embraces the motto “Today’s People; Tomorrow’s Progress.” The Township is a charming, small town, with a rural atmosphere. Dotted with beautiful lakes, golf courses, and recreational facilities, the Township boasts an excellent school system, outstanding police department, and dedicated volunteer rescue squad and fire organization.
- C Haledon Borough (Passaic County) developed along the northern side of the industrial city of Paterson, New Jersey. It was settled by farmers with colonial Dutch heritage, which led to its nickname as “A Pioneer Community.” The area became a streetcar suburb of Paterson in the years following the Civil War, with the central area known as Haledon, while the area surrounding the large pond along High Mountain Road was called Oldham.
- E Newton Town (Sussex County) embraces the slogan, “Envisioning the Future.” As the County Seat of Sussex County, Newton provides a full service opportunity for its residents and business community. Newton’s Town Government provides an active Community Development program which complements its Historic Preservation efforts and municipal services.
- B Elizabeth City (Union County) proudly tells the world that it has “An Historical Past, Fascinating Present, Bright Future,” which is understandable for the Fourth Largest municipality in New Jersey by population, which is also the county seat of Union County, as well as being named one of “America's 50 Greenest Cities” in 2008, by Popular Science magazine, the only city in New Jersey selected.

### President’s Message by Nancy Saffos, 2013 MCANJ President

(Continued From Page 3)

If you or someone you know has not been receiving our e-mail blasts please let Daina Dale, IT Chair & Municipal Clerk in Harvey Cedars know, by sending an e-mail to: [clerk@harveycedars.org](mailto:clerk@harveycedars.org). Daina has been working hard to make certain our e-mail list is updated and everyone is included. She continues to do a wonderful job, spending countless hours updating e-mail lists, maintaining our website, and sending out those blast e-mail messages to us all. I would be remiss if I didn’t once again extend many thanks to Drew Pavlica, Immediate Past President and Jim Doherty, our incredibly talented Quill Editor, who have given us a presence and keep us updated on Facebook.

The whole is only as good as the sum of its parts. We’ve heard this said many times and I do believe it’s true. As I have mentioned many times before, Get Involved! If you have a question or concern or if you think we need to do something, look at something differently, please let us know. Perhaps you have an idea that would help us all, individually and/or as an association; let us know. We continue to encourage you to be an active part of your association. Maybe there is something that you can do, to make us, as an association, stronger, better, and more effective. Whatever it is, tell us. I also believe that if more people get involved and more people have their voices heard, be it at Advisory Board Meetings, at our Annual Meeting, volunteering for a committee or by just calling or e-mailing us with your views, ideas, concerns, etc., our association can be greater than the sum of its parts (paraphrasing Aristotle)! Gone are the days of the very few; we are in the days of the very many and we welcome you. So please contact me at (856) 488-7892 or [nsaffos@chtownship.com](mailto:nsaffos@chtownship.com), or call anyone on our executive board at any time for anything. We’re here to make it work, make it better and make it successful for all of us! I send my best wishes to all of you for a healthy and delightful fall season, easy elections (both of them!) and time to enjoy your family and friends! I’m looking forward to seeing you all at our Annual Meeting, in November. Please do your best to make it.

Best regards,  
Nancy



## MCANJ ELECTION PROCESS

At the League of Municipalities Convention on November 20, 2013, during the Annual Business Meeting of the MCANJ, two candidates will seek the position of 2014 MCANJ Secretary. In accordance with the directions of Article VI of the MCANJ Constitution, the 2014 MCANJ Secretary shall be chosen through election. There shall be no nominations from the floor, nor shall write-in votes be counted. Each candidate shall present a narrative of no more than three minutes in length at the meeting, prior to the election. No literature regarding the candidates shall be distributed at the meeting, nor may electioneering take place at the meeting.

The Executive Board shall follow the procedures outlined below to facilitate the election process, to preserve the integrity of the election process and to endeavor to reduce the disruption of the on-going Annual Meeting.

The MCANJ President has appointed a Credentials Committee consisting of one MCANJ member who shall act as Chair (this person being a Municipal Clerk not from the County of any of the candidates standing for election) and two additional MCANJ members, who shall be Municipal Clerks. The MCANJ President shall appoint one member of MCANJ to call the Counties in succession for the orderly conduct of the election, and shall appoint a Challenger for each candidate to represent the interests of the Candidate during the election process. During the meeting, the President shall explain the voting procedure to be followed, introduce the candidates and commence the election process.

When the voting is finished, the Credentials Committee shall remove the tally sheets from the machines, count the votes with the Challengers present, and determine the winner of the election. The Chair shall announce the winner at the direction of the President.

The Treasurer of MCANJ shall provide, in triplicate, a list of paid and a separate list of unpaid members of the MCANJ by County for use by the Credentials Committee to verify eligibility of each MCANJ member to vote.

Only one (1) paid member from each municipality shall be issued a ballot by the Credentials Committee. If the Municipal Clerk is not present, a paid member Deputy should present a signed letter from the Municipal Clerk authorizing the Deputy to represent the municipality for the purpose of casting a vote.

The required tables, chairs, booths, lines, etc. shall be positioned in such a manner so as not to disrupt the ongoing program.

A plurality of votes cast shall be required to win the election. A TIE VOTE shall be determined through drawing of lots by the President or Presiding Officer at the Annual Business Meeting.

### ***MCANJ, INC. MEMBERSHIP REPORT AS OF AUGUST, 2013***

<u>CATEGORY</u>	<u>TOTAL</u>
Full - Municipal Clerk	458
Full - Acting Municipal Clerk	23
Full - County Clerk	4
Full - Clerk of Freeholder Board	4
Associate - Deputy Municipal Clerk	171
Associate - Assistant Municipal Clerk	22
Associate - Deputy County Clerk	1
Associate - Deputy Clerk of Freeholder Board	1
Affiliate - All Others	26
Honorary Membership (Retired)	10
<b>GRAND TOTAL</b>	<b>720</b>



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- REMARRIAGE
- DOMESTIC PARTNERSHIP

ALL IN ONE PROCESS \* ALL IN ONE PLACE

**The Annual Business Meeting will be held on November 20, 2013 at the Trump Taj Mahal.  
Tickets are \$30 each and are available through your Advisory Board representative.  
MCANJ Breakfast Buffet will be served from 8:00-9:00 a.m.  
The Annual Business Meeting will begin at 9:00 a.m.  
2014 MCANJ Officers sworn in; RMCs, CMCs and MMCs will be honored.  
Who will be “Municipal Clerk of the Year”?**

the *Quill*  
Editor - Jim Doherty  
13 Fair Oaks Lane  
Ocean, N.J. 07712

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