

Municipal Clerks' Association of New Jersey  
Executive Board Meeting  
October 9, 2009 – Neptune, New Jersey

President Moreland called the meeting to order at 9:35 a.m.

Executive Board Members present were: President Joan Moreland, 1<sup>st</sup> Vice President Vincent Buttiglieri, 2<sup>nd</sup> Vice President Joanne M. Kwasniewski, Treasurer Drew Pavlica, Secretary Nancy Saffos, Immediate Past President Heather Mailander, and Administrative Consultant in Training Joel Popkin.

ABSENT: Administrative Consultant Hirshblond and Legal Counsel Richard A. Lustgarten

**SALUTE TO THE FLAG:** President Moreland led the salute to the flag.

**MOMENT OF SILENCE:** President Moreland asked for a moment of silence for our service men and women who are overseas.

**APPROVAL OF MINUTES:** On a motion by 1<sup>st</sup> Vice President Buttiglieri, seconded by 2<sup>nd</sup> Vice President Kwasniewski, it was unanimously agreed that the minutes of the March 12, 2009 Executive Board Meeting were approved.

On a motion by Immediate Past President Mailander, seconded by 2<sup>nd</sup> Vice President Kwasniewski, the minutes for the August 7, 2009 Executive Board were approved by the following vote:

AYE: President Moreland, 2<sup>nd</sup> Vice President Buttiglieri, 1<sup>st</sup> Vice President Kwasniewski, Treasurer Pavlica and Immediate Past President Mailander

ABSTAIN: Secretary Saffos

**OFFICER'S REPORTS:**

**Secretary's Report:** Secretary Saffos reported that a sympathy card was sent to Sharon Brienza from the board and the association.

**Treasurer's Report:** Treasurer Pavlica reported the following balances as of October 9, 2009 with the one exception being the Legal Defense Fund balance, which is as of August 31, 2009:

|  |                     |
|--|---------------------|
| Checking & Savings<br>(Includes scholarship funds of \$16,978.50)                              | \$ 56,991.09        |
| MCANJ Raffles Account  | 159.13              |
| Certificate of Deposit<br>(At 1.29% for 12 months)   | 113,856.70          |
| Legal Defense Fund<br>(As of August 31, 2009)  | 121,550.63          |
| AC in 2013<br>(Includes \$3,695.00 that should be transferred to<br>The MCANJ Raffles account) | <u>5,601.45</u>     |
| <b>TOTAL</b>   | <b>\$298,159.00</b> |

Treasurer Pavlica explained that Chris Wilder has been depositing funds received for the Off Premise Raffle, to be held at the annual business meeting, into the AC 2013 account. He continued saying that, as was noted on the balance sheets he distributed, he believes those monies should be deposited into the raffles account and then transferred after the

raffle is held. It was agreed and was decided that Chris Wilder should be given the account number for the raffles account, so that she could deposit the raffle funds into that account. After the off premises raffle drawing is held, checks will be written to the three winners of the raffle and another check will be written to and deposited in the AC in 2013 account.

Treasurer Pavlica gave the following budget summary report:

|              |                     |
|--------------|---------------------|
| REVENUES     | \$189,885.27        |
| EXPENDITURES | <u>\$164,094.98</u> |
| BALANCE      | \$164,290.29        |

On a motion by 2<sup>nd</sup> Vice President Kwasniewski, seconded by 1<sup>st</sup> Vice President Buttiglieri, the treasurer's report was unanimously approved by voice vote.

Treasurer Pavlica gave the following membership report:

503 Municipal Clerks; 263 Deputy Municipal Clerks; 15 Acting Municipal Clerks; 15 Assistant Municipal Clerks; 8 County Clerks; 2 Deputy County Clerks; 5 Clerks to Freeholder Boards and 24 Affiliates Members for a total of 835 members.

Treasurer Pavlica stated that a couple of years ago the highest membership number we had was 844 and he believed that we would get very near to that number this year. He continued saying that we have at least 6 additional members who have committed but not yet paid. He also said that there are counties who are pursuing their towns for 100% paid memberships. He finished saying that the percentage of paid memberships is slightly over 92%.

**2<sup>nd</sup> Vice President's Report:** 2<sup>nd</sup> Vice President Kwasniewski reported regarding room allocations for the League of Municipalities Conference saying there had only been 33 rooms reserved initially and there was a message left regarding a cancellation, which would bring the number down to 32. Additionally, she received a request from Patterson for 3 rooms, but there was no Purchase Order with it, so that unless that was received the number would go down to 29. She said that she spoke to Bryan at the hotel because she was concerned that we would not be able to get 60 rooms set aside next year, however he told her that he didn't think that any changes would be made based on this year's attendance. He said the hotel has not had the volume of reservations for receptions as it has had in years past either.

2<sup>nd</sup> Vice President Kwasniewski reported that 63 breakfast tickets have been sold; 2 were on a Purchase Order and she received payment for a couple of more this morning, from Board members. She said that there are a couple of counties that have not yet gotten back to her at all, so she was expecting more when they did. She also stated that there have been some complaints that some of the Advisory Board Representatives are not doing their job.

There was discussion regarding a better way of distributing tickets to the general membership. Joel Popkin said that distribution of breakfast tickets has been an issue year after year and there may be a better way. Discussion continued regarding whether or not the responsibility of direct distribution of breakfast tickets to individual members should be given to a member of the board since it seems to be problematic having the Advisory Board Representatives handle it. The point was made that Advisory Board Representatives did not have much responsibility and taking this duty away from Advisory Board Representatives would leave them very little to do. A suggestion was made that the application for tickets should be in the Quill and possibly on our website and Advisory Board Representatives could be asked by whichever board member takes the charge to send out reminders to the clerks in their county.

2<sup>nd</sup> Vice President Kwasniewski stated that she believed the task could be managed by the 2<sup>nd</sup> Vice President saying it wasn't an overwhelming job and the duties of the 2<sup>nd</sup> Vice President are not as demanding as the other positions and she thought it could work out better. President Moreland offered to take over the responsibility, as part of her duties, as

Immediate Past President if 1<sup>st</sup> Vice President Buttiglieri would be interested in trying it next year when he's President.

**1<sup>st</sup> Vice President's Report:** 1<sup>st</sup> Vice President Buttiglieri distributed a summary of continuing education units that would be available at the League of Municipalities Conference along with the schedule of sessions.

1<sup>st</sup> Vice President Buttiglieri stated that there would be a bowl at the registration table for clerks to drop in their business cards in that will give them a chance to win a paid registration to Region II and to our MCANJ Education Conference. He continued saying that there would be 1 Region II registration winner and 1 alternate and 15 MCANJ winners and 5 alternates. The treasurer would be responsible for sending out the letters to the winners and then to the alternates once the deadline for acceptance has passed.

1<sup>st</sup> Vice President Buttiglieri confirmed with 2<sup>nd</sup> Vice President Kwasniewski that the 50/50 tickets were bought. She did purchase a double roll. There was a discussion regarding what the price of tickets should be and it was decided that tickets would be sold as follows: \$1.00 for 1 ticket; \$3.00 for 5 tickets and \$5.00 for 15 tickets. Logistics regarding the set up for the sale of 50/50 tickets were discussed.

1<sup>st</sup> Vice President Buttiglieri reported that he would be speaking at the Newly Elected Officials Seminar to be held in Mt. Laurel on January 9, 2010 and Treasurer Pavlica has agreed to speak at the seminar in the Meadowlands on January 23, 2010.

1<sup>st</sup> Vice President Buttiglieri reported that he received correspondence from Bette Mastropasqua regarding the website. He said the last time anyone on the board was trained was when he was secretary and he was one of the trainees. Bette suggested that it might be time to have one again. Bette is looking to retire soon and Nancy Hatten has more than enough to do. A discussion ensued regarding where the training could take place and who from the board would participate. Elisha Johnson from Camden City was suggested as someone who may be interested in participating, especially since once trained she could handle the responsibilities without having to take time away from the office. 1<sup>st</sup> Vice President Buttiglieri said that he would call Elisha to ask if she'd be interested.

**President's Report:** President Moreland reported that Mary Lynne Stratta, President International Institute of Municipal Clerks was scheduled to arrive, from Alaska, on Tuesday evening in time to have dinner with us. She asked Treasurer Pavlica to have a check ready for reimbursement for her transportation costs from the airport to Atlantic City.

With regards to the Legal Defense Fund President Moreland reported that she had received a copy of a letter from Gail Macera to Sharon Brienza requesting financial support from the LDF.

With regards to the Dorothy Tomlin case, President Moreland reported that there had been no recent correspondence and apparently whatever the issue was had been resolved peacefully.

Discussion returned to the request from Gail Macera and the board was in agreement that so long as it was not against the Legal Defense Fund's By-Laws to pay a clerk the allowed \$5,000.00 before the case is settled, then it was reasonable to do so. The discussion continued and it was decided that our Legal Counsel Richard Lustgarten should develop a standard form that could be used as a reimbursement agreement. The agreement should include language that would insure that LDF was to be paid back by the clerk, if the clerk is awarded reimbursement of legal fees, as part of a settlement agreement.

There was also discussion regarding the board's decision to increase the allowance from \$3,000.00 to \$5,000.00 and whether or not the procedure to adopt that change was followed properly. After a lengthy discussion among board members 1<sup>st</sup> Vice President Buttiglieri read from the by-laws that the Executive Board of MCANJ is permitted to adopt revisions to the rules so long as a draft of those revisions are submitted to the full membership of the Legal Defense Fund committee for their review and input 30 days prior

to the date of adoption by the board.. No one present could confirm that was done, therefore the board decided that if Sharon Brienza confirmed that her committee had reviewed the proposed changes that were voted on by the Executive Board, then the board could move forward. It would be necessary to first have the standard agreement form drawn up by our Legal Counsel and it must be signed by the clerk before a check could be issued.

President Moreland would ask Richard Lustgarten to draft an agreement form and get confirmation from Sharon Brienza regarding the procedure being followed properly for the increase in the reimbursement amount.

Based on those confirmations, it was decided that the \$5,000.00 allowance from LDF should be paid to Ms. Macera as soon as possible, as it appeared likely that the legal fees would continue to accumulate in this case.

President Moreland distributed an article concerning access for Public Records and the fees charged by private vendors for data lists. It is common for municipalities to use private vendors for services such as payroll. These vendors charges fees for copies of lists that are considered excessive by the requestors, in this case it was the Asbury Press.

President Moreland distributed a copy of a resolution regarding OPRA that she wanted to present to the League of Municipalities Resolution Committee. The resolution was well written by Jim Doherty and extremely comprehensive. It addressed many shortcomings in the law and in the existing statutory language. It suggested a need for a coordinated effort by: the Municipal Clerks of New Jersey, the news media, the New Jersey League of Municipalities, the Government Records Council, the Office of the Governor and the New Jersey State Legislature to educate the public in the proper utilization of OPRA. The resolution addressed the issue of private e-mail addresses and likened them to unlisted telephone numbers. It also addressed the need to fill the vacant seats on the Government Records Council. The board overwhelming agreed that the resolution should be presented as President Moreland suggested.

President Moreland reported that she received an e-mail from Bonnie Leonetti asking the board's approval to contact the scholarship winners before their names were announced at the Annual Business Meeting. In the past scholarship winners were not announced until the meeting, however Bonnie Leonetti thought that if recipients know that they are receiving a scholarship they could inform their towns and may have a better chance of being permitted to attend the Annual Business Meeting at the League. The board agreed and President Moreland stated that she would contact Bonnie to advise her.

President Moreland stated that the Orientation Handbook for Newly Elected Officials had been completed and would be ready for distribution at the Annual Business Meeting. A discussion ensued by the other members present that indicated the board had only received a rough draft and there were updates that were necessary. President Moreland stated she would redistribute to the board members and ask for revisions.

President Moreland reported that she had e-mailed all committee chairs for their annual reports.

She reminded the board that 2<sup>nd</sup> Vice President Kwasniewski and Immediate Past President Mailander will be at the Consulting Period at the League Conference on Tuesday, November 17, 2009 from 3:00 p.m. until 5:00 p.m.

President Moreland reported that Harold Weiner informed her that the town of Irvington adopted a resolution furloughing the municipal clerk's office including him, the clerk for 30 days/6 work weeks, which equates to an approximately 11.53% decrease in salary. He said that other offices were also affected; however the mayor's office, police, fire and municipal court offices were exempted. 2<sup>nd</sup> Vice President Kwasniewski advised that Franklin Lakes had 18 furlough days this year and have decided that next year it will be 24 days.

**Immediate Past President:** Immediate Past President Mailander reported that the cook books should be ready by the end of the month. She said that she will make sure that order forms go up on the website as soon as it comes in, so that we can start to get orders and even distribute at the breakfast.

Immediate Past President Mailander reported that she spoke to Jay Sklarow at United Computer who explained that the other associations are using scanning, however apparently they do not have as many concurrent sessions as we do, which would require multiple computers and people. She said that Jay could load the data bases into his computers for the scanners, but he suggested that it might be easier for us to do sign in sheets because of the number of overlapping sessions. There are as many as six concurrent sessions available for clerks to receive cues. 1<sup>st</sup> Vice President Buttiglieri reported that John Mitch already had the people lined up to hand out CEUs and circulate sign in sheets, and at this point it would be easier to do it manually. The board agreed. 1<sup>st</sup> Vice President Buttiglieri explained that maybe the Immediate Past President could be responsible for overseeing the scanning process for our conferences next year and we may be interested in following how the other associations do their scanning. He said that they actually provide a print out to their members that lists the sessions they have attended.

**Administrative Consultant in Training:** Administrative Consultant in Training Popkin reported that he has left 6 messages, over the past 5 weeks, for Lori Buckelow and has not received any response. He said that he even spoke to Joe Valenti and even asked Pam from Rutgers to contact her with no success. His concern is that there will not be an update ready for the next class in January. Lori has been contacted by e-mail and notified that an update was needed by today for this Executive Board meeting and there has been no response.

On a motion by President Moreland, seconded by 2<sup>nd</sup> Vice President Kwasniewski and unanimously approved by voice vote it was decided not to pay the \$500.00 stipend to Lori Buckelow for having not fulfilled her responsibilities of manual review chairperson.

Joel Popkin reported that he got a storage bin last month in Ocean Township and the storage bin in Toms River should be totally empty after the league. He asked if anyone had any suggestions as to what to do with the history books from our 75<sup>th</sup> Anniversary. It was suggested that they be put out on the table at the booth in November at the League. He said that he had gotten rid of a lot of stuff but there was still a lot to store. He said that there was approximately 20 ft of shelves in Manny's house and he had already put up some shelving in the storage bin and would like to purchase some filing cabinets.

On a motion by Immediate Past President Mailander, seconded by 1<sup>st</sup> Vice President Buttiglieri permission was given to Administrative Consultant in Training Popkin to spend a maximum of \$2,500.00 to purchase filing cabinet(s) and was approved unanimously by voice vote.

Administrative Consultant in Training Popkin reported that a 4 in 1 copy machine had been delivered in September. He said that he was working on updating lists and there was a discussion regarding how to best consolidate the lists of clerks, deputies, past presidents etc. There was a suggestion to revise the conference registration form that might help in the process.

Joel Popkin advised the board that he had applied for another job in Heightstown, but assured the board that his first priority would be MCANJ. He said his final interview was to be in 2 weeks and he would report back to the board.

He gave an update on Administrative Consultant Hirshblond's retirement dinner stating that the count was 58 at this point and distributed table arrangement charts for the board members to review. He said that he would purchase an American Express Gift Card for \$1,500.00 and had given the Country Club a \$500.00 deposit. The balance would be due 2 days before the dinner and asked for a check from Treasurer Pavlica. He quickly reviewed the cocktail/dinner time schedule as well as the menu.

**Adjournment:**

With no further business to discuss, on a motion by 1st Vice President Mailander and seconded by Immediate Past President Kennedy the meeting was unanimously adjourned at 1:10 p.m.

Respectfully Submitted:

Nancy L. Saffos, RMC  
Secretary