

Municipal Clerks' Association of New Jersey, Inc.
Advisory Board Meeting Minutes
Friday, September 17, 2010
Holiday Inn
700 Hope Road
Tinton Falls, NJ 07724

CALL TO ORDER

President Vincent Buttiglieri called the meeting to order at 10:20 AM.

FLAG SALUTE AND MOMENT OF SILENCE

President Vincent Buttiglieri lead the meeting in the salute to the Flag, followed by a moment of silence for our deceased members and the men and women of our Armed Forces.

ROLL CALL

Executive Board members present were: President Vincent Buttiglieri, 1st Vice President Joanne M. Kwasniewski, 2nd Vice President Andrew J. Pavlica, Treasurer Nancy L. Saffos, Administrative Consultant Joel Popkin and Legal Counsel Richard Lustgarten.

Absent: Secretary John M. Mitch and Immediate Past President Joan Moreland

APPROVAL OF MINUTES

On a motion made by Treasurer Saffos, duly seconded by First Vice President Kwasniewski, the Minutes of the Advisory Board Meeting of June 25, 2010, were approved.

TREASURER'S REPORT

Treasurer Saffos reported on the Account Balances, as of August 31, 2010 which were as follows: Checking and Savings \$176,114.23; Scholarship Fund \$19,236.50; Raffles Account \$1,225.53; AC in 2013 \$5,346.98; and Legal Defense (as of July 31, 2010) \$116,691.00. She reported Revenues of \$194,130.68 and Expenditures of \$137,282.87.

On motion by Sharon Brienza, seconded by Heather Mailander, the Treasurer's Report was unanimously accepted.

Treasurer Saffos gave the Membership Report as follows: 489 Municipal Clerks, 234 Deputy Clerks, 9 Acting Clerks, 25 Assistant Clerks and 16 Affiliates for a total paid membership of 773. She reported that two counties were at 100% paid membership and they were Mercer and Middlesex Counties.

SECOND VICE PRESIDENT'S REPORT

Second Vice President Pavlica reported that for the Annual Meeting coming up in November, 44 rooms have been set aside for our Association. He reported that the room reservation form is in the Quill and an email blast will go out. He reported that only about a dozen rooms have been booked through the Association at this point. A discussion ensued on the slow sale of Annual Meeting breakfast tickets.

FIRST VICE PRESIDENT'S REPORT

First Vice President Kwasniewski reported that at the upcoming New Jersey State League of Municipalities Conference in November there are 28 sessions that RMC's can receive CEU's. She reported that the MCANJ is doing two: "After the Census, the Clerks Role" which is 1.0 contact hours in Elections and .5 contact hours in licensing and will be held Wednesday, November 17, 2010 from 3:45 PM to 5:15 PM; and "PARIS Grants, What Happens Now?" which is 2.0 contact hours in Records on Tuesday, November 16, 2010 from 2:00 PM to 3:00 PM. She said that the New Jersey State of Municipalities will have

to adjust their Conference because it continues to shrink. She reported on plans for the 2011 MCANJ Education Conference and said that she met over the summer with Conference Co-Chairs Sharon Brienza and Heather Mailander and met with Administrative Consultant Joel Popkin to explore some ideas and come up with a theme: "Municipal Clerks: We Make It Happen". She said that she is thankful that people are willing to serve on the committee and things might have to be done differently now that Conference Committee members cannot always get out of the office every month. She said that everyone is committed to having great education sessions. She reported that a contract has been signed with the Taj Mahal and they are holding the food prices at this year's rates to keep costs down. She said that there will be "scholarships" for 15 registrants. She reported that CEU Supervisors are still needed for the League Sessions and each attendee will be required to print out their own CEU certificates. She reported that the Public Works Association is considering hiring the lobbyist who was used when the Pension formula was changed to N/55 and they will be reaching out to the other Affiliates to hire a lobbyist and hire experts to look at Pension Reform proposals and to do an analysis of the things being proposed. She said that there is a need for a comprehensive plan to coordinate efforts. She said that she is not sure if the 501C3 status of the MCANJ restricts the Association from lobbying the Legislature. She said that money from the Legal Defense Fund probably cannot be used to pay a lobbyist either but Legal Counsel Richard Lustgarten will look into the matter and provide a legal interpretation.

PRESIDENT'S REPORT

President Buttiglieri reported on the following:

- A thank you letter was received from the US Census Bureau thanking the Municipal Clerks for their support and participation.
- Retirees will be used for coverage of the MCANJ Booth at the New Jersey State League of Municipalities Conference in November.
- CEU Volunteers are needed for the education sessions at the League Conference.
- The OPRA Fee Law, formerly Assembly Bill No. 559, was signed into law Friday, September 10th by Governor Christopher Christie and effective November 9th, letter sized copies will be 5 cents a page and legal sized copies will be 7 cents a page.
- The status of Assembly Bill No. 1333 which appoints the President of the Municipal Clerk's Association of New Jersey or his designee on the Government Records Council.
- Senate Bill No. 838 mandates that a position on the States Records Committee be rotated between a County Clerk and a Municipal Clerk in addition to one seat for the Chief Technology Officer.

President Buttiglieri led a discussion on the following proposed amendments to the MCANJ Constitution and By-Laws:

Proposed Amendments to the Constitution and By-Laws

1. Article II, B.2
Delete: "If the Municipal Clerk is a member, a Deputy may join."
Add: "A Deputy Municipal Clerk may join as an Associate Member"
2. Article II, Section D.1
Delete: the words "Pro-rata"
3. Article II, Section 1.A
Add: "Immediate Past President" to list of officers

4. Article II, Section 1.C
Amend to read: "All Officers will receive remuneration as stipulated in the Budget for the year. All Offices may be reimbursed for out-of-pocket expenses, as approved by the Executive Board"
5. Article III, Section 3.B
Add: "The Second Vice-President shall be responsible for the Annual Education Conference registrations".
6. Article II, Section 4.A
Delete: "All bills authorized to be paid shall be recorded in the minutes of the Advisory Committee and approved at that meeting".
7. Article III, Section 4.D
Delete: "Accounts audited quarterly by the auditor".
Add: "Accounts audited annually by the auditor".
8. Article III, Section 4.E
Delete: "The Treasurer shall submit quarterly audited reports to the Advisory Committee at the quarterly meetings of such Committee".
9. Article III, Section 4.F
Delete: the Treasurer shall be reimbursed in the amount not to exceed the sum of \$500 deemed appropriate by the Executive Board for out of pocket expenses incurred in the conduct of that office.
10. Article III, Section 5.A
Currently Reads: The Secretary shall keep a record of the attendance of the members of the executive and Advisory Committee Board attending all Advisory Committee Board meetings.
Delete: "Committee" in both places.
11. Article II, Section 5.B
Delete: "The Secretary shall forward a copy of minutes to the officers and to each member of the Advisory Board, Past Presidents' Council, and chairperson of each Standing Committee".
Add to read: the Secretary shall keep a book of minutes in which shall be recorded the business proceedings of the Associations, and said minutes will be available at the Advisory Board meetings for review and approval. Once approved, said minutes shall be placed on the Association's website.
12. Article IV, Section 1.A
Amend definition of Executive Board to read: "The Executive Board shall consist of the President, First Vice-President, Second Vice-President, Treasurer, Secretary, and Immediate Past President".
13. Article IV, Section 2.A
Currently Reads: "Advisory Board will meet quarterly".
Amend to Read: "Advisory Board will meet in accordance with a schedule determined by the incoming President".
14. Article IV, Section 4.A (Standing Committees)
Delete: "Finance Committee"
Amend: "Membership Committee" to "Membership/Peer Alliance for Learning (PAL) Committee".
Amend: "Professional Development committee" to Professional Development/Mini Conferences Committee".
15. Article IV, Section 4.B.1
Amend to Read: "The Education Committee in cooperation with Rutgers University shall provide the educational opportunities required to achieve the certification and recertification as Municipal Clerks. The Conference Committee in conjunction with the Education Committee shall prepare the program for the Annual Education Conference".

16. Article IV, Section 4.B.4
Delete: Finance Committee (Covered in other areas)
 17. Article IV, Section 4.B.6
Delete: "Education Foundation" (Does not exist)
 18. Article IV, Section 4.B.7
Add: "Chair of the Information Technology Committee shall receive a stipend in an amount determined by the Executive Board".
 19. Article IV, Section 4 (12 & 13)
Combine: "Member Committee with the Peer Alliance for Learning Committee"
 20. Article IV, Section 4.B.16
Add: "the Editor of the Quill shall receive a stipend in an amount to be determined by the Executive Board"
 21. Article IV, Section 4.B.17
Rewrite the Raffles Committee to read: "The Raffles Committee shall conduct such appropriate events as determined by the Executive Board. At the Transition Meeting each year, the Executive Board will determine if the proceeds from these raffles should be directed to the fundraising efforts for the 2013 IIMC Conference or be retained by MCANJ depending on the financial condition of the Association at the given time".
 22. Article IV, Section 4.B.19
Add: "the resolutions are to be provided to the Secretary for inclusion in the minutes of the Annual Meeting".
 23. Article VI, Section 2.A
Add: "Annual" to the Education Conference
 24. Article VI, Section 2.D
Add: "No electioneering or forms of enticement can occur at the Annual Business Meeting/Election of Officers".
 25. Bylaws: Article 1, Section 1
Currently Reads: "there shall be 5 Advisory board meetings per year; with 1 at the Annual Meeting, 1 at the Education Conference, and 3 to be scheduled at the discretion of the Executive Board".
Amended to Read: "Advisory Board meeting shall be held at the Annual Meeting, at the Annual Education Conference, and other meetings to be scheduled at the discretion of the Executive Board".
 26. All references to "Administrative Consultant" shall be changed to "Executive Director".
- The surprise retirement party for Long Beach Township Clerk Bonnie Leonetti scheduled to be held at 5:00 PM on October 21, 2010 at Stefano's Restaurant located at 19th Street and Long Beach Boulevard in North Beach Haven, New Jersey.
 - Two New Jersey State League of Municipalities "Mayors Fax Advisory" concerning PERS Reform and S-2220 which caps Accumulated Sick Leave.
 - Written Reports which were received from Committee Chairs who were unable to attend this Advisory Board Meeting.

ADMINISTRATIVE CONSULTANT'S REPORT:

Administrative Consultant Joel Popkin reported that he will report on the account balances of the Legal Defense Fund at the Advisory Board Meetings and then give the statement to the Treasurer and he believes this will eliminate a step and make reports on

the LDF Accounts more current. He reported on the progress of the Manual Review Committee. He reported that the MCANJ Booth location at the New Jersey State League of Municipalities Conference will be #706 and he spoke on the updated MCANJ Brochure which will be handed out at the booth along with 10 year calendars. He spoke on the executed contracts for the 2011 MCANJ Conference to be held April 4-7, 2011 at the Taj Mahal in Atlantic City.

LEGAL COUNSEL'S REPORT:

Legal Counsel Lustgarten reported on the Senate bill which would dissolve the small Borough of Teterboro in Bergen County and have four different municipalities annex the Borough. He spoke on proposed Pension Reform ideas and how a lot of veteran and tenured employees are getting scared and are retiring, going off payroll and are starting to draw down on the pension pool on a high and they are being replaced by lesser paid new people who are paying in at a lower percentage. He said that what Pension Reform ideas are trying to cure, the deficit in the Pension System, it seems counter intuitive, that people are retiring because of anxiety of what may come down the line and they are pulling out more money than the new people are putting in. He spoke on the latest government buzzwords such as Shared Services, Furloughs, Layoffs, Hiring Freezes, Salary Freezes and Pension Reform and he knew of no cases which have come down on challenges to these issues. He knows of a southern New Jersey town involving the Shared Services concept and two towns sharing a municipal clerk. He said that the statute says that every municipality shall have a municipal clerk. He questioned if the Shared Services concept can supplant that statute. He questioned if there can be one municipal clerk for two contiguous municipalities and if it would satisfy the statute. He said that it does seem to him that there needs to be dialogue on any level on these issues. He said that everyone is in agreement that doing nothing is fatal. He said that there seems to be a general assumption that the Governor can do what he is attempting to do and a lot of municipalities are laying down and accepting it. He said that legally there is a concept concerning the sanctity of contracts and if you have a contract, the governor is not supposed to interfere in that contract so when the Governor is talking about changing formulas for retirees, these benefits were fixed on the date of retirement and that strikes him as an unconstitutional exercise of power. He said that when issues are raised at the State Department of Community Affairs, it is almost by fiat and financial necessity mandates this approach. He said that there are legal cases over the past 50-60 years that constitutions are not suicide pacts and literal meaning should not be suicide pacts for financial suicide. He said that he is disappointed that there has not been more litigation on specific issues than there has been because that has an impact. He spoke on Senate Bill No. 1 concerning the abolition of the Council on Affordable Housing.

2010 COMMITTEES

Constitution and By-Laws- Harold Wiener of Irvington reported that the Committee is in agreement with everything the Executive Board has proposed in regard to amendments to the Constitution and By-Laws.

Education Committee and Education Conference- Diane Pflugfelder of Bethlehem Township reported on the status of CEU Supervisors for the sessions at the New Jersey State League of Municipalities Conference. She spoke on the seminars and titles of the 2011 Education Conference to be held in April 2011 at the Taj Mahal in Atlantic City. She spoke on the registrations for RMC Clerk classes and said that an "Introduction to the Duties of the Municipal Clerk" class and a "Finance" class had to be cancelled due to lack of attendance.

Elections – Jane Williams – Warren of Paterson led a discussion concerning the law which allows municipalities with non-partisan elections to move the time of their non-partisan election from May to November.

Fundraising – No Report

Information Technology/Web Page – Bette Mastropasqua of Beachwood reported on the posting of job opportunities on the njclerks.org website, and the proposal that each county have a website page link on the njclerks.org website.

Laws Affecting Municipal Clerks – No Report

Legal Defense Fund – Sharon Brienza of Branchburg reported on two extremely active cases: one involving Nancy Doman of Audubon and a Shared Services contract of the Municipal Clerk with another town, and Gail Macera of Folsom.

Legislative Review – No Report

Manual Review - Deanna Bennett of Haddonfield reported on the status of updating the Clerks Manual and getting the updates to Coded Systems for printing. She reported that the Course Instructors have been extremely helpful and that it will be a brand new manual, not a supplement.

Membership North – No Report

Membership Central – No Report

Membership South – No Report

Past President's Council – No Report

Peer Alliance for Learning – No Report

Public Relations – Ceil Covino of Clinton reported on getting the MCANJ booth organized for the New Jersey State League of Municipalities Conference in November.

Professional Development/Mini Conference:

North – Harold Wiener of Irvington reported on the Mini Conference to be held at the Verona Community Building on Bloomfield Avenue on October 14th which will offer 3 contact hours in Ethics and 2 contact hours in Records.

Central – No Report

South – Patty Hunt of Moorestown reported on the Fall Mini Conference to be held on September 23, 2010 in Glassboro offering contact hours in Records, Ethics, Licensing and Finance.

Quill – No Report

Raffles – Yancy Wazirmas of Prospect Park reported that applications have been submitted for the League of Municipalities Conference to be held in November 2010 and for the IIMC Region II Conference to be held in January 2011.

Records – No Report

Region II – Jane Williams-Warren of Paterson reported on a dues increase of \$10 for IIMC Membership. She reported on attempts to hold down the costs of IIMC Annual Conferences. She spoke on the drastic changes in CMC and MMC Programs. She spoke on the mid-year meeting held in Omaha, Nebraska. She said that the new Education Director for the IIMC should come on board by January 2011.

Resolutions – No Report

Scholarships – No Report

IIMC 2013 – Past IIMC President Chris Wilder of Hamilton reported on the \$89 a night room rate at the Taj Mahal for the IIMC Conference to be held in Atlantic City in 2013.

She reported that, at the IIMC Region II Conference to be held Wednesday, January 19 to Friday, January 21, 2011 at the Taj Mahal, for every room that is booked, Clerks will receive a credit of \$2 per room per night for the IIMC Conference in 2013. She reported on the merging of the conferences for the MCANJ and the IIMC in 2013.

OTHER BUSINESS

Reports from the County Advisory Board Members:

Atlantic – No Report.

Bergen – Heather Mailander of Ridgewood reported that at the October 21, 2010 meeting of the Bergen County Municipal Clerks' Association that County Election Officials will speak and 1.5 contact hours will be offered in Elections.

Burlington – Patty Hunt of Moorestown spoke on the sale of MCANJ Annual Meeting Breakfast tickets to Burlington County Clerks. She said that she has been President of the Burlington County Clerks' Association for the last six years but Kim White of Eastampton will be the new President in 2011.

Camden – Deanna Bennett of Haddonfield reported that her County Clerks' Association meeting on October 28th will be offering contact hours in Records and Professional Development.

Cape May – Connie Mahon of Cape May Point reported that at their next Tri-County meeting in October with Cumberland and Atlantic Counties, contact hours will be offered in Elections. She reported that she will be stepping down as President of her Association and that the new President in 2011 will be Lisa Stefanowicz, Deputy Municipal Clerk of Stone Harbor. She spoke on the new Clerk in West Wildwood, James Nanos.

Cumberland – Susan Robestello of Millville reported on the retirement of Lew Thompson as Municipal Clerk of Millville and on her appointment as Municipal Clerk effective July 1, 2010. She spoke on Lew Thompson's Retirement Dinner. She reported that contact hours will be offered in Elections at their Association meeting on October 4th and she reported on ARTIMIS Training and contact hours being offered in Records Management.

Essex – Harold Wiener of Irvington reported on the Mini Conference to be held on October 14th which will also offer CEU's for CFO's and Tax Collectors.

Gloucester – Pat Frontino of Glassboro reported that at her County Association's meeting to be held October 21st, contact hours will be offered in Information Technology.

Hudson – No Report.

Huntingdon – Ceil Covino of Clinton reported that a new slate of officers for 2011 will be presented at their County Association's October meeting. She reported that they will be doing a scholarship for the first time for the MCANJ Education Conference in April 2011.

Mercer – Eileen Gore of Hamilton reported that their County Association will be holding a Pre-Election Workshop in October and will be holding a Holiday Party in December.

Middlesex – No Report.

Monmouth – Karen Mount Taylor of Tinton Falls reported on a Mini Conference to be held October 26th entitled "Last Clerk Standing" which will offer contact hours in Finance, Licensing and Elections. She reported on the October 19th hearing to be held

at 7:30 PM at the Tinton Falls Municipal Building concerning Legislators advising on the Governor's Toolkit. She reported on the following retirements: Irene Joline of Long Branch, Ruthann Damato of Manalapan and Karen Mount Taylor of Tinton Falls.

Morris – No Report.

Ocean – Bette Mastropasqua of Beachwood reported on a CMR Class to be held at their County Association meeting on October 22nd and that December will be their Holiday Luncheon.

Passaic – Jane Williams-Warren of Paterson reported that their County Election Officials will be at their October 15th meeting and that only Woodland Park in Passaic County has not paid MCANJ dues.

Salem – No Report.

Somerset – Sharon Brienza of Branchburg reported that the new Municipal Clerk in Raritan Borough is Rayna E. Harris who was the Deputy Clerk in Fanwood. She reported that, at their County Association meeting to be held on September 23, 2010, contact hours will be offered in Professional Development.

Sussex – No Report.

Union – No Report.

Warren – No Report.

UPCOMING DATES

President Buttiglieri reported on upcoming dates – the 2010 New Jersey State League of Municipalities Conference to be held November 16-19, 2010, and the MCANJ Annual Meeting to be held Wednesday, November 17, 2010 at the Tropicana in Atlantic City, with the Breakfast from 8:30 AM to 9:30 AM, and the meeting beginning at 9:30 AM.

ADJOURNMENT

At 12:45 PM, there being no further business, Sharon Brienza of Branchburg moved to adjourn the meeting and Allan Susen of Haledon duly seconded the motion.

On voice vote, meeting, unanimously adjourned.

Respectfully Submitted,



Andrew J. Pavlica, RMC/CMC/MMC
MCANJ 2nd Vice President for
MCANJ Secretary John M. Mitch