

Municipal Clerks' Association of New Jersey, Inc.
Executive Board Meeting Minutes
Friday, March 4, 2011
Fair Lawn Municipal Building
8-01 Fair Lawn Avenue
Fair Lawn, NJ 07410

CALL TO ORDER: President Joanne J. Kwasniewski called the meeting to order at 9:55 a.m.

FLAG SALUTE AND MOMENT OF SILENCE: President Kwasniewski led the attendees in the flag salute followed by a moment of silence.

ROLL CALL: Executive Board members present were: President Joanne J. Kwasniewski, 1st Vice President Andrew J. Pavlica, 2nd Vice President Nancy Saffos, Treasurer John M. Mitch, Secretary Keith Kazmark, Immediate Past President Vincent Buttiglieri, Executive Director Joel Popkin and Legal Counsel Richard Lustgarten (excused himself at 11:40 a.m.).

LEGAL COUNSEL UPDATE:

President Kwasniewski discussed the bills that are pending before the Legislature regarding the Open Public Records Act, the Open Public Meetings Act and the pension bill. She reported that Sharon Brienza had the Mayor and Council in Branchburg pass a resolution regarding the proposed changes to the Open Public Meetings Act bill. The Board discussed meeting with Assemblyman Gordon Johnson and agreed that Legal Counsel Lustgarten shall reach out to the Assemblyman's office to arrange said meeting.

Executive Director Popkin reported on a conference call regarding Senate Bill 923 regarding health care. He reviewed a handout that detailed the legal, mandated and technical issues with this bill. Legal Counsel Lustgarten discussed the legislative counsel's opinion that would affect changing the existing rules. Executive Director Popkin discussed a bill that would change the retirement age from 55 years old to 60 years old.

Legal Counsel Lustgarten discussed the MCANJ doing some positive public relations possibly in local newspapers, on News 12 or in other media outlets. Discussion on this matter ensued. Discussion as to Executive Board members speaking at New Jersey State League of Municipalities seminars ensued. President Kwasniewski will contact the League of Municipalities regarding her placement of an article in the league magazine discussing the role of the Municipal Clerk. She will also contact The Record and the Herald News about the possibility of placing an op-ed piece in both newspapers.

President Kwasniewski discussed the Legal Defense Fund. Legal Counsel Lustgarten spoke about the payments from the Legal Defense Fund. He cautioned the Executive Board not to authorize payments above the maximum payment. He also stated that, in his opinion, the guidelines for the Legal Defense Fund need to be updated. Executive Director Popkin discussed how the fund has operated in the past with regard to additional payments. Last year it was changed to allow up to \$5,000, which was an increase from the former maximum of \$3,000. The way the guidelines are currently written, if the amount is beyond \$5,000 it would require Executive Board approval. Immediate Past President Vincent Buttiglieri spoke about issues that would affect all Clerks as opposed to individual Clerks. Legal Counsel Lustgarten stated that the Legal Defense Fund is not set up for that purpose – it is set up for individual Clerks. Discussion as to the maximum limit ensued. President Kwasniewski stated that we should set up a maximum amount where there would be no discretion to go beyond the set amount. Executive Director Popkin stated that by-law amendments need to be drafted by the Board or by the Legal Defense Fund committee and then the other body is required to approve.

President Kwasniewski discussed an issue that has been brought to the committee regarding a Deputy Clerk and whether a Deputy is covered by the Legal Defense Fund. It was decided that a Deputy Municipal Clerk is eligible for benefits if they have paid into the fund. A motion was made to make the additional payment to Diane Pflugfelder by

1st Vice President Andrew J. Pavlica and seconded by 2nd Vice President Nancy Saffos. Motion approved unanimously.

President Kwasniewski inquired about a Clerk being covered by the Legal Defense Fund after that Clerk is no longer employed by a municipality. Legal Counsel Lustgarten stated that they would be covered by the fund. The Clerk in this case will be refunded her renewal fee for this year, but she is covered by the previous payments to the fund.

Discussion regarding the request by the Wildwood Clerk to be removed from the MCANJ mailing list ensued. After some discussion the Board decided to send a letter to the Clerk in Wildwood stating that it is policy to maintain all municipalities on our mailing list.

Legal Counsel Lustgarten discussed issues with the tenure and the Protected Status Titles.

President Kwasniewski discussed an issue with a scholarship request and time of the payment. Discussion ensued as to whether the payment is made up front or provided after completion of the course. President Kwasniewski indicated that the by-laws do not state "after completion." Executive Director Popkin read a letter requesting reimbursement for the RMC review course. It was agreed that the RMC review class is a course for the RMC and could be reimbursed. In addition, it was decided to amend the by-laws with regard requiring completion of the course prior to reimbursement.

President Kwasniewski discussed the issue with tenured Clerk's and shared services agreements. Discussion as to municipalities merging, shared services agreements and seniority rights ensued.

Legal Counsel Lustgarten mentioned a GRC decision that upheld the Clerk in Franklin Lakes position that an OPRA request was not specific enough. President Kwasniewski discussed a case regarding closed session meetings.

APPROVAL OF MINUTES: A motion was made by Treasurer Mitch, seconded by 1st Vice President Andrew J. Pavlica, to approve the Executive Board Meeting minutes of January 7, 2011. Motion approved unanimously, with 2nd Vice President Nancy Saffos abstaining.

REPORT OF OFFICERS

TREASURER'S REPORT: Treasurer Mitch reported the account balances as follows:

Checking/Savings (#7861948276)	\$65,959.85 (as of 1/31/11)
Scholarship Funds	\$18,991.50 (per 2011 budget)
MCANJ Raffles (#3453661257)	\$3,585.63 (as of 1/31/11)
Certificate of Deposit (#100805027)	\$100,298.22 (as of 12/31/10)
AC in 2013 (#7869265160)	\$7,236.00 (as of 1/31/11)

Treasurer Mitch further reported on correspondence that has come in with dues. Discussion as to the returns for the MCANJ Education Conference ensued. Treasurer Mitch further provided the MCANJ Education Conference income and the 2011 budget summary.

A motion was made by 1st Vice President Pavlica and seconded by 2nd Vice President Nancy Saffos to approve the Treasurer's report. Motion approved unanimously.

SECRETARY'S REPORT: Secretary Kazmark stated that he has worked with Jim Doherty on the "Clerk of the Year" advertisement and the Executive Board advertisement for the April Quill.

TREASURER'S REPORT: Treasurer Mitch reviewed the membership report. The membership returns are very good in only a month's time.

2ND VICE PRESIDENT'S REPORT: 2nd Vice President Nancy Saffos reported on the MCANJ Education Conference returns. There are 120 delegates paid and our enrollment is at 200 when adding in registrations that are free, complementary and outstanding

purchase orders. Discussion as to the numbers of free and complementary registrations ensued. The possibility of just discounting the registration fee for committee members in the future was discussed. This issue will need to be revisited next year. Further discussion ensued about retirees who are volunteers for the conference having their meals paid for by the Association.

1ST VICE PRESIDENT'S REPORT: 1st Vice President Pavlica discussed how we can promote our profession. He displayed the logo for the 2012 MCANJ Education Conference, which the Board thought was outstanding. The 2012 conference will be March 25th – 30th. 1st Vice President Pavlica discussed the dates in which the contract states for the conference.

PRESIDENT'S REPORT:

Executive Director Popkin reported on the Desk Reference. In January all new RMC students began with a new, complete study guide. They are recommending having only one book in the future. President Kwasniewski expressed some concern about having public access to the Desk Reference. Discussion as to the e-mail system that MCANJ is using ensued. President Kwasniewski will speak with the Technology Committee regarding access to the Desk Reference. Executive Director Popkin suggested having Coded Systems place the latest version on the website. A motion was made by 2nd Vice President Nancy Saffos and seconded by Treasurer Mitch to approve the placement of the update Desk Reference on the website. Motion approved unanimously.

Discussion about ensuring that all RMC recipients received their pins ensued. President Kwasniewski will send an e-mail to all county presidents asking them to inquire with their members to ensure everyone was provided with their pins.

President Kwasniewski discussed the devil pins that are taken to the IIMC Conference for the pin exchange. Treasurer Mitch will count the remaining pins, and get them to President Kwasniewski.

President Kwasniewski addressed whether we will participate in the New Jersey Conference of Mayors 48th Annual Spring Conference. It was discussed that School Board Election Day is on April 27, 2011; hence it will be very difficult to get any Clerk to attend on our behalf. Executive Director Popkin will contact Barbara Hawk to discuss this conference. The Board chose not to have a booth this year because of the election.

President Kwasniewski discussed Joan Moreland's retirement party on March 25, 2011. Treasurer Mitch will order the gold card and President Kwasniewski will get flowers as a gift along with the gold card.

President Kwasniewski discussed the IIMC 2013 Conference meeting on March 7, 2011.

President Kwasniewski discussed Affiliated Association Advisory Group Meeting/Affiliated Association Pre-conference Planning Meeting on April 13, 2011. She and 1st Vice President Pavlica will attend. MCANJ will do two affiliate seminars at the League convention this year on Tuesday and Wednesday.

President Kwasniewski announced that she received a thank you note from the New Jersey League of municipalities for her participation at the "Executive Leadership Training for Mayors and Council Presidents."

IMMEDIATE PAST PRESIDENT'S REPORT: Immediate Past President Buttiglieri handed out and reviewed the Mini Conference guidelines, attendance schedule form and reimbursement summary. Treasurer Mitch suggested making the summary form clear when it comes to reimbursement. Discussion on making the reimbursement process clear to the committee chair people ensued. Immediate Past President Buttiglieri will make the necessary alterations. The Board discussed the Mini Conference process and the possibility of restricting it to three per year, one in each region. This will be taken up at the Advisory Board meeting and changes may be necessary in the SOP at the end of the year. A minimum charge for mini conferences will be \$15 for members and \$25 for non-members.

EXECUTIVE DIRECTOR'S REPORT: Executive Director Popkin provided the Legal Defense Fund account balances as of January 31, 2011. We have 198 people who have joined as of last week. Executive Director Popkin reiterated how to make changes to the Legal Defense Fund by-laws. He spoke with Dan Kaminski relative to DCA's assistance on updating our mailing labels. They will not provide them to use, but DCA will add some verbiage about the MCANJ providing CEU opportunities to new Clerks. He discussed the returns from the conference mailing. We have increased our bonds from \$200,000 to \$300,000. Treasurer Mitch and Executive Director Popkin sent information to our Auditor. Treasurer Mitch will also provide a copy of the monthly bank statements to the Auditor as well.

Executive Director Popkin discussed the paperwork for the League of Municipalities convention in November to secure the booth. The Board requested that Executive Director Popkin send in the necessary paperwork.

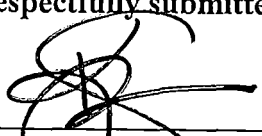
Executive Director Popkin spoke about a screen advertising the 2013 IIMC Conference in Atlantic City which can be brought to Nashville. A motion was made by Secretary Kazmark and seconded by Immediate Past President Buttiglieri to approve the purchase of the advertising screen, not to exceed \$500, contingent on the approval to advertise at this year's conference by IIMC. Motion approved unanimously.

Executive Director Popkin requested renting a larger storage space than we have now. He offered to gather prices. 1st Vice President Pavlica and seconded by 2nd Vice President Nancy Saffos to authorize Executive Director Popkin to secure the larger storage space, not to exceed \$100 per month.

OTHER BUSINESS: President Kwasniewski spoke about the election for Region II Director. Immediate Past President Buttiglieri stated that he may be coordinating phone calls for his campaign. He will also be sending out a post card to IIMC members in the region.

ADJOURNMENT: A motion was made by Immediate Past President Buttiglieri and seconded by Treasurer Mitch to adjourn the meeting at 2:50 p.m. Motion carried unanimously.

Respectfully submitted,



Keith Kazmark, RMC/CMC
MCANJ Secretary (2011)