

The Municipal Clerks' Association of New Jersey
Executive Board Meeting
Agenda - 6/16/2017 - 10 AM

1. Call to Order
2. Roll Call
3. Approval of Minutes: 3033/06/2017 - Executive Board Meeting
4. Unfinished Business
 - A. Memorializing Resolutions
 - 1) Resolution FY2017-34 - Award of Scholarship - Ashley Wyatt, Denise Kohan
 - 2) Resolution FY2017-35 - Criteria Update Municipal Clerk of the Year Award
 - B. Exploration of Expanded Codification Services for the Desk Reference - Joel Popkin
 - C. Attorney Opinion on Kean Federation of Teachers v. Morell Regarding Rice Notices - Mike Herbert
 - D. Updates from Meeting of 6/12/17 with Senate President Sweeney and Senator Weinberg on OPRA and OPRA - Denise Szabo & Dina Zawadski
5. New Business Discussion
 - A. General Ledger Report as of 5/31/17, Budget Report as of 5/31/17, Profit/Loss Report as of 5/31/17
 - B. Final 2016-2017 Membership Report
 - C. SOP Revisions for 2017-2018
 - D. Proposals from Professionals & Contracts 2017-2018
 - E. Quill Editor 2017-2018
 - F. Website Update Coordination
 - G. Decision on Number of Scholarship Awards for 2017-2018
 - H. Proposed Budget
 - I. Distribution of Committees List - 2017-2018
 - J. Distribution of Important Dates Calendar
6. New Business Action Items
 - A. Resolution #FY2018-01 - Signatures on Bank Accounts
 - B. Resolution #FY2018-02 - Officer Remuneration & Stipends
 - C. Resolution #FY2018-03 - Contract with Steven Goodell, Esq.
 - D. Resolution #FY2018-04 - Joel Popkin, Executive Director
 - E. Resolution #FY2018-05 - Steven Weinstein, CPA
 - F. Resolution #FY2018-06 - Meeting Dates
 - G. Resolution #FY2018-07 - Approving Executive Board SOPs
 - H. Resolution #FY2018-08 - Adoption of a Code of Ethics
 - I. Resolution #FY2018-09 - Scholarships
 - J. Resolution #FY2018-10 - Budget Adoption
 - K. Resolution #FY2018-11 - Authorizing Disposal of Records Prior to 7/1/11
7. New Business (Agenda Items for Upcoming Year)
 - A. LDF By-Law Revisions Concerning Fees

- B. LDF Seminar for Members
- C. Amicus Brief Policy
- D. 2018 Conference Location and Facility

8. Adjournment

The Municipal Clerks' Association of New Jersey
Executive Board Meeting Minutes
June 16, 2017
Bernards Township

A meeting of the Municipal Clerks' Association of New Jersey Executive Board was held June 16, 2017. The meeting was opened by President Szabo at 10:00 am.

The following members of the Executive Board were present:

President Denise Szabo
1st Vice President Dina Zawadski
2nd Vice President Kevin Galland
Treasurer, Diane Pflugfelder
Secretary, Eileen Gore
Incoming Secretary, Kim Marie White
Immediate Past President Keith Kazmark

Also present: Executive Director, Joel Popkin

President Szabo requested that two items be added to the agenda (1) Hilton Hotel attrition update and (2) DORES meeting update.

APPROVAL OF MINUTES

A motion was made by Diane Pflugfelder and seconded by Dina Zawadski to approve the minutes of March 6, 2017; unanimously approved.

UNFINISHED BUSINESS

A. Memorializing Resolutions

- **Resolution FY2017-34 – Award of Scholarships – Ashley Wyatt & Denise Kohan**
Mr. Galland confirmed that this year's winners were awarded scholarships from the previous year. He also requested clarification as to the individual responsible for the handling of the reimbursement for which it was determined that it will be the duty of the Treasurer. After discussion, it was requested by President Szabo that Mr. Galland review the current policy/SOP and make any necessary recommendations for the next meeting. A motion was made by Mr. Galland and seconded by Mr. Zawadski to approve the resolution; unanimously approved.

- **Resolution FY2017-35 – Criteria Update Municipal Clerk of the Year Award**
A motion was made by Mr. Galland and seconded by Ms. Pflugfelder to adopt; unanimously approved.

B. Exploration of Expanded Codification Services for the Desk Reference – Joel Popkin

Mr. Popkin advised that a quote from Coded System was received to review the Municipal Clerk's Desk Reference in the amount of \$7,800 which included all chapters except Chapter 4 (Records) which was just recently completed. Coded Systems Advised that due to time limits, the final product would not be completed by September. While in the past instructors provided updates, after discussion it was felt that a thorough review of the listed statutes and regulations was needed to ensure the most up-to-date information is provided. Before committing to Coded Systems, an email

will be provided to Mr. Herbert so that he may inquire as to whether anyone in his firm has had previous experience with this type of review and whether there would be an interest to do so. He will report back at the next meeting.

C. Attorney Opinion of Kean Federation of Teachers v. Morell Regarding Rice Notices

Mr. Herbert advised that for any type of employee action whether it be for a permanent or perspective employee, a RICE Notice would need to be provided. Even though the court decision did not specifically address union contracts, it was his opinion that notices will have to be provided in those instances as well. The thought of the court was that it did not want to allow a public entity get around the requirement as was in this case where the school was not going to renew the individual's contract and felt that by not discussing it in open or public session, a RICE notice was not required. Lastly, it was felt that this particular topic would be a good topic to address at a future LDF seminar and the NJSLOM Conference as well.

D. Updates from 6/12/17 meeting with Senate President Sweeney and Senator Weinberg relative OPRA and OPMA bills

Ms. Szabo advised that a meeting was held with Senators Sweeney and Weinberg accompanied by Daniel Davidow of Parker McCay. It was felt that some of our objections did result in some softening to the bills. However, a new provision to the bill would allow for a local fire company to enter into an agreement with a municipality to establish the municipal clerk acting as the custodian of fire districts records. Undoubtedly, this would have a huge impact on municipal clerks. At the conclusion, it was agreed that MCANJ would be able to review the fee portion and wordsmith same which would be provided next week.

Ms. Szabo provided an update on a recent meeting with DORES in working towards a state-wide retention and disposal policy for municipal email. There are two proposals being submitted for which all were in agreement. The first proposal considered is a broadband tag which would require towns to categorize the emails according to the records retention system which was felt to be an onerous management system. The second proposal was that email be considered a digital transportation system. A meeting is to be held with the DCA to review the proposals to determine whether either will be accepted for further review and possible adoption.

Mr. Popkin provided an update on the current attrition situation. After discussing with the hotel, it was advised that the matter was being referred to management for review, however since that time, no response has been received. The MCANJ has contacted our credit card company about the matter who advised that they payment had been broken down into 2 payments. However, before the inquiry could be further investigated additional information would be required from the hotel which was received and forwarded. A letter was also sent by Mr. Herbert about the matter for which no response was been received. Mr. Herbert felt that the bill should not be paid which could possibly force their hand to file in small claims court to have the matter settled. So as to not incur any delinquent charges, the bill will be paid to the credit card company; however they will continue to dispute the matter. Lastly, a tentative contract for next year's conference that will be held in Atlantic City be provided to Mr. Herbert's office for review.

NEW BUSINESS DISCUSSION

- A. Accepted - General Ledger Report as of 5/31/17, Budget Report as of 5/31/17, Profit/Loss Report as of 5/31/17 (Accepted)

- B. Final 2016-2017 Membership Report (Accepted)
- C. SOP Revisions for 2017-2018 (K. Kazmark updated Clerk of the Year & Scholarship Page)
- D. Proposals from Professionals & Contracts 2017-2018
 - Steve Weinstein (+\$400 requested for new annual fee of \$3,400 - accepted)
 - Mike Herbert/Steve Goodell (no request for increase [\$8,000]- accepted)
 - Joel Popkin (+\$400 requested for new annual fee of \$26,700 - accepted)
- E. Quill Editor 2017-2018

Ms. Zawadski advised that she had a conversation with current Quill Editor, Joe Kostecki about continuing in that position who advised that he would rather not continue due to personal time restraints. It was noted that an unsolicited email was received from Pat Frontino to assume the position. The possibility of utilizing a publishing company was also discussed, but it ultimately was decided that a notice would be sent to the entire membership to determine if there were any interested individuals. It was felt that July 15th would be the cut-off date by which individuals could apply so that the results could be discussed at the next meeting.
- F. Website Update Coordination

President Szabo urged all to review the SOP's to ensure job responsibilities are being met.
- G. Decision on Number of Scholarship Awards for 2017-2018

A motion (DP/DZ) to keep the number of scholarships at the same level with the exception of the need-based which would be increased by 1, due to the generosity of Diane and George Pflugfelder was carried.

Mr. Galland made a motion to establish a change to the scholarship policy criteria (RMC, CMC, and MMC) to be based upon the applicant payment as the priority and the municipal payment as the second. The motion carried and Mr. Galland will revise the policy for a vote at the next meeting.
- H. Proposed Budget

Mr. Popkin reviewed the proposed budget with the Board. With regard to the GovNetNJ Legislative Tracking Program, it was determined that the program would continue through January 1st and at that time, it will be reevaluated for use during the remainder of the budget year. In addition, a placeholder line item for a merchant service machine in the amount of \$1,000 was added and that additional investigation into the matter would be done. Lastly, \$750.00 was added to the IIMC Region II Director line item for items of reimbursement.
- I. Distribution of Committees List – 2017-2018

Ms. Zawadski announced the Committee Chairs & Advisory Board Representatives.
- J. Distribution of Important Dates Calendar

Ms. Zawadski will finalize the calendar and distribute.

A motion was made by Mr. Kazmark, seconded by Ms. Pflugfelder to adopt items A through J; unanimously approved.

Mr. Galland addressed the Board about a refund request for the annual conference for an individual with the City of Patterson. After discussing the refund policy and the dates associated with same, it was determined after a vote that the refund would not be granted.

Ms. Szabo thanked everyone on the Board for their support during her Presidency and pledged her support to incoming President Zawadski.

There being no further business, the meeting was adjourned.

Eileen Gore, RMC/MMC
Secretary MCANJ
Minutes Approved _____

Resolution FY2017-34
Memorializing Award of FY2016/17 Scholarship for RMC

WHEREAS, the purpose of the Municipal Clerks' Association of NJ (MCANJ) is to promote education and training for municipal clerks; advance a better understanding of the official obligations of our members; and as far as possible set-up uniform methods of procedures in NJ Municipalities; and

WHEREAS, in furtherance of its purpose, MCANJ annual awards scholarships to deserving members for courses required for certification and recertification as Registered Municipal Clerks (RMC), Certified Municipal Clerks (CMA) and Master Municipal Clerks (MMC); and for attendance at the Annual MCANJ Education Conference.

WHEREAS, the Scholarship Committee has recommended award of Scholarship to the following who have provided documentation of successful completion of courses:

Name Scholarship Winner	Employer	Amount of Reimbursement Authorized	Reimbursement Paid To
Ashley Wyatt	Township of Hillside	\$500 (RMC Scholarship)	Township of Hillside
Denise Kohan	Borough of Hillsdale	\$500 (RMC Scholarship)	Borough of Hillsdale

NOW THEREFORE BE IT RESOLVED, by the Executive Board of MCANJ that we do hereby authorize payment of scholarship as noted above.

Agenda and Date Voted: June 16, 2017

Resolution FY2017-35

Authorizing Changes to the Municipal Clerk of the Year Award

WHEREAS, annually the Executive Board selects an individual to be named Municipal Clerk of the Year; and

WHEREAS, on 03/06/2017, the Executive Board voted to update the criteria for selection of the Municipal Clerk of the Year.

NOW THEREFORE BE IT RESOLVED, that we do hereby memorialize the action taken on 03/06/2017 to update the criteria for Clerk of the Years as follows:

Candidate(s) for Clerk of the Year must be an active Municipal Clerk at the time of selection, or within the first 12 months of retirement. An active Municipal Clerk is defined as a Municipal Clerk who has registered and paid their dues within four months of the new fiscal year or no later than October 31st.

The Executive Board may put forth candidates at any time and also solicit nominations from the MCANJ membership; the later must be in writing the Executive Board will select the recipient based on the contributions to the association.

Criteria

The Municipal Clerk of the Year Award shall be awarded by the MCANJ Executive Board to an individual who has made significant contributions to the association.

Nominations for the Municipal Clerk of the Year Award will be accepted from Executive Board members as well as from the general membership. Nominations must be made in writing on the prescribed form.

Nominees must be active members of the MCANJ, currently employed as Municipal Clerks and tenured in their positions. (Active member is defined as one who is registered and paid their dues within four months of the new fiscal year, or no later than October 31); or a registered honorary member of MCANJ, within the first 12 months of retirement.

Current members of the Executive Board and former recipients of the award are not eligible.

Qualifications must include activities within MCANJ and may include contributions to the profession, as well as related community and volunteer work.

The selection of the annual "Municipal Clerk of the Year" is made by the Executive Board and announced at the Association's Annual Meeting held during the Association's Annual Education Conference held each spring.

The MCANJ will supply the honoree with a plaque. In addition, a \$250 gift card will be presented to the recipient commemorating this award.

Agenda and Date Voted: 06/16/2017

Resolution FY2018-01

Authorizing Signatures on the Municipal Clerks' Association of NJ Bank Accounts
Held at TD Bank for the Period of 07/01/2017 through 06/30/2018

WHEREAS, the Municipal Clerks' Association of New Jersey (MCANJ) maintains a Checking Account, Scholarship Account and Raffle Account at TD Bank to pay operating expenses and clear debts; and

WHEREAS, on 07/01/2017, officers of the Executive Board of MCANJ will change.

NOW THEREFORE BE IT RESOLVED, by the Executive Board of MCANJ that we do hereby authorize the following officers to be signatures on accounts held at TD Bank, and to process online payments, for the period of 07/01/2017 through 06/30/2018.

Name	Position
Eileen Gore	Treasurer
Dina Zawadski	President
Joel Popkin	Executive Director

Agenda and Date Voted: 06/16/2017

Resolution FY2018-02

Setting Officer and Approved Committee Chair
Reimbursements and Stipends for FY2018

BE IT RESOLVED, by the Executive Board of the Municipal Clerk's Association of New Jersey that the following reimbursements and stipends be approved for payment for members of the Executive Board and approved Committee Chairs for the FY2018:

Position	Amount 2017-2018
Quill Editor	\$ 2500
Desk Reference Editor	\$ 1000
Information Technology Website Administrator	\$ 1200
President	\$ 1500
1 st Vice President	\$ 500
2 nd Vice President	\$ 500
Treasurer	\$ 500
Secretary	\$ 500
Immediate Past President	\$ 500

Agenda and Date Voted: 06/16/2017

Resolution FY2018-03

Authorizing a Contract for Legal Services with
Steven P. Goodell & Michael Herbert, Parker McCay

WHEREAS, Steven P. Goodell & Michael Herbert, Parker McCay has submitted a proposal for legal services for FY2018 as more fully described in his proposal dated June 2, 2017 and on file with the Secretary; and

WHEREAS, Parker McKay, Steve P. Goodell & Michael Herbert are qualified to serve as counsel for MCANJ.

NOW THEREFORE BE IT RESOLVED, by the Executive Board of the Municipal Clerks' Association of New Jersey that a contract is hereby authorized with Steven P. Goodell -& Michael Herbert, Parker McCay for legal services for FY2018 at an annual retainer of \$8,000.00 paid quarterly on or before March 10, June 10, September 10 and December 10. Each \$2,000.00 quarterly payment will be disbursed as follows: \$1,650.00 will be paid by MCANJ and \$350 will be paid by the MCANJ Legal Defense Fund.

Agenda and Date Voted: 06/16/2017

Resolution FY2018-04

Authorizing a Contract with Joel Popkin
To Serve as Executive Director of MCANJ for FY2018

WHEREAS, Joel Popkin has submitted a proposal to serve as the Executive Director for MCANJ for FY2018 as more fully described in his proposal dated May 15, 2017 on file with the Secretary; and

WHEREAS, Joel Popkin is qualified to serve as Executive Director MCANJ.

NOW THEREFORE BE IT RESOLVED, by the Executive Board of the Municipal Clerks' Association of New Jersey as follows:

1. That a contract is hereby authorized with Joel Popkin at an annual retainer of \$26,700, plus a not to exceed amount of \$3,600 for reimbursable expenses which include internet service, mobile data expense, postage, travel and miscellaneous expenses incurred. All expenses submitted for reimbursement shall be detailed and submitted quarterly. Payments will be made quarterly on or before March 10, June 10, September 10 and December 10. Each \$6,675-- quarterly retainer payment will be disbursed as follows: \$6,075 will be paid by MCANJ and \$600 will be paid by the MCANJ Legal Defense Fund.
2. That the Association has accumulated 40,000 miles on its credit card and the Association cannot and will not utilize those miles, the value of those miles to the Association is *di minimis*; and in recognition of Mr. Popkin's performance exceeding expectations, the 40,000 miles are hereby gifted to Joel Popkin for FY2018.

Agenda and Date Voted: 06/16/2017

Resolution FY2018-05

Authorizing a Contract for Certified Public Accounting Services with
Steven Weinstein, CPA of Weinstein & Weinstein PC for FY2018

WHEREAS, Steven Weinstein, CPA of Weinstein & Weinstein PC has submitted a proposal for certified public accounting services for FY2018 as more fully described in his proposal dated 05/12/2017 on file with the Secretary; and

WHEREAS, Steven Weinstein is qualified to serve as a certified public accountant for MCANJ.

NOW THEREFORE BE IT RESOLVED, by the Executive Board of the Municipal Clerks' Association of New Jersey that a contract is hereby authorized with Steven Weinstein, CPA of Weinstein & Weinstein PC for certified public accounting services for FY2017 at an annual retainer of \$3,400.00 paid quarterly on or before March 10, June 10, September 10 and December 10. Each \$850 quarterly payment will be disbursed as follows: \$700 will be paid by MCANJ and \$150 will be paid by the MCANJ Legal Defense Fund.

Agenda and Date Voted: 06/16/2017

Resolution FY2018-07

Adopting Updated SOPs

WHEREAS, the Executive Board of the Municipal Clerks' Association of New Jersey follows a set of Standard Operating Procedures (SOPs) which expounds on the process of administering its role and responsibilities as defined its Constitution and By-Laws; and

WHEREAS, it is the role of the Immediate Past President of MCANJ to keep track of procedural changes throughout the year and present an updated version of the SOPs to the Executive Board at its Transition Meeting for adoption.

NOW THEREFORE BE IT RESOLVED, by the Executive Board of MCANJ that we do hereby adopt updated SOPs for FY2018, as presented and reviewed at the 06/16/2017 Executive Board Transition Meeting to take effect on 07/01/2017.

Agenda and Date Voted: 06/16/2017

Resolution FY2018-08

Adopting a Code of Ethics

WHEREAS, the Municipal Clerks' Association of New Jersey (MCANJ) is a diverse group of individuals who have been appointed to represent municipalities through the State of New Jersey; and

WHEREAS, the purpose of MCANJ is to promote education and training for municipal clerks; advance a better understanding of the official obligations of our members; and as far as possible set-up uniform methods of procedures in NJ municipalities; and

WHEREAS, MCANJ wishes to formally express its commitment to ethical behavior.

NOW THEREFORE BE IT RESOLVED, by the Executive Board of MCANJ that we do hereby adopt the following Code of Ethics:

CODE OF ETHICS

The Municipal Clerks' Association of NJ is a diverse group of individuals who have been appointed to represent municipalities throughout the State of New Jersey. Founded in 1927, MCANJ promotes professionalism, education, competence, and networking, and is guided by the highest standards of personal integrity and professional conduct.

The Municipal Clerks of New Jersey have a moral obligation to live up to the promises made in our Oath of Office. Municipal Clerks affirm that they will support and defend the Constitution of the United States and the Constitution of the State of New Jersey.

The Municipal Clerks' Association of New Jersey expects its members to comply with the highest standards of honesty, integrity, fairness, impartiality and professional conduct.

Agenda and Date Voted: 06/16/2017

Resolution FY2018-09

Approving Scholarships for FY2018

WHEREAS, the purpose of the Municipal Clerks' Association of NJ (MCANJ) is to promote education and training for municipal clerks; advance a better understanding of the official obligations of our members; and as far as possible set-up uniform methods of procedures in NJ Municipalities; and

WHEREAS, in furtherance of its purpose, MCANJ annual awards scholarships to deserving members for courses required for certification and recertification as Registered Municipal Clerks (RMC), Certified Municipal Clerks (CMA) and Master Municipal Clerks (MMC); and for attendance at the Annual MCANJ Education Conference.

WHEREAS, each year the Executive Board of MCANJ establishes the number of scholarships to be awarded each year.

NOW THEREFORE BE IT RESOLVED, by the Executive Board of MCANJ that we do hereby establish the following Scholarships for FY2018 to take effect on 07/01/2017.

Type	Number to be Awarded
Registered Municipal Clerk Scholarships (RMC)	8
Peter H. Maclearier Scholarship (CMC)	1
Master Municipal Clerk Scholarship (MMC)	1
MCANJ Education Conference Scholarships	10
MCANJ Education Conference Need-Based Scholarships	6

Agenda and Date Voted: 06/16/2017

Resolution FY2018-10
Adopting FY2018 Budget

Be It Resolved, that the Executive Board of the Municipal Clerks' Association of New Jersey hereby adopts the FY2018 Budget as attached hereto.

Agenda and Date Voted: 06/16/2017

Resolution FY2018-11
Resolution Authorizing the Disposal of Records

WHEREAS, MCANJ has adopted a policy concerning the retention and disposal of association records'; and

WHEREAS, except for minutes, insurance policies, constitution and by-laws, and the certificate of incorporation which are deemed permanent records of the association, all other records shall be retained for seven years.

Now Therefore BE IT RESOLVED, that all non-permanent records of MCANJ created or received prior to 7/1/11 are hereby authorized for destruction.

Agenda and Date Voted: 6/16/2017

MEETING DATES

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Place</u>
7/28/2017	10:00 AM	Executive Board	Deptford Township
8/18/2017	10:00AM	Education Conference Committee	Deptford Township
9/29/2017	10:00 AM	Advisory	Deptford Township
9/29/2017	11:30 AM	Education Conference Committee	Deptford Township
10/20/2017	10:00 AM	Executive Board	Deptford Township
12/1/2017	10:00 AM	Executive Board	TBD
12/1/2017	11:30 AM	Advisory Board	TBD
12/1/2017	1:00 PM	Education Conference Committee	TBD
1/19/2018	10:00 AM	Executive Board	Deptford Township
1/19/2018	11:30 AM	Education Conference Committee	Deptford Township
3/23/2018	10:00 AM	Executive Board	Deptford Township
3/23/2018	11:30 AM	Advisory Board Meeeting	Deptford Township
3/23/2018	1:00 PM	Education Conference Committee	Deptford Township
4/6/2018	10:00 AM	Education Conference Committee	Deptford Township

TBD

Annual Meeting

TBD

6/1/2018

10:00 AM

Education Conference Committee

Deptford Township

6/15/2018

10:00 AM

Executive Board

TBD

TRANSITION MEETING