



MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.

PRESIDENT'S MESSAGE by 2014 MCANJ President John M. Mitch



Time has certainly flown by since taking the Oath of Office in November 2013 (at MCANJ's Annual Business Meeting held during the New Jersey League of Municipalities Conference in Atlantic City) to be your association's President.

After returning from the League, I began putting my final touches on the many committee appointments for 2014. To that end, I want to personally thank those of you who either offered to serve our association or accepted my request to do so. While there were many carryovers, I also took the opportunity to appoint several new faces to some of the committees. I believe that change is good from time to time as it may also bring new and fresh ideas. When crafting the committees, I tried my best to be sure that all 21 counties were fairly represented amongst all committees.

MCANJ began 2014 by rolling out a new look to our website (www.njclerks.org). By now I hope that you have had an opportunity to take a look at it and navigate about. Many thanks to MCANJ 2nd Vice President Denise Szabo (Bernards Township) and Information Technology / Webpage Chair Daina Dale (Harvey Cedars) for the time and effort put into this project. Together they worked with CIT-e-NET with the on-line membership application (which appeared to go off very smooth as evidenced by almost 700 members registering within the first two months) and the registration for our annual education conference (March 2014).

As for the membership application, by switching to an on-line only registration, this has saved considerable time and money in the overall processing of same. In prior years, hours and hours were spent folding letters and forms, stuffing envelopes, and applying stamps, as well as paying printing costs for said letters and forms; in addition to envelopes and postage. This is now a thing of the past. By also providing an automated receipt / invoice with signature from an MCANJ officer, there is no longer a need to mail a purchase order or wait for a signed copy to be returned to each municipality. This too saves time and unnecessary envelope and postage costs for MCANJ as well as our municipalities. In an effort to keep retirees connected, I mailed dozens of letters to our past counterparts urging them to register electronically. Recognizing that some may not have access any longer to a computer or for the few who may not be tech savvy, I offered each retiree to contact me if needed and I would be happy to personally register them myself. They were also reminded about the People's Page in our Quill newsletter and urged to send former MCANJ President Sharon Brienza (Branchburg) a note and or photo for consideration in a future publication.

CIT-e-NET also setup for us the first time on-line registration process for our annual education conference. This too is an online only registration for not only the same reasons as membership, but for the electronic reporting features that no longer need to be done manually. For many of you, this registration went off without a hitch however some of you faced a few obstacles which I believe we were able to address timely.

The Executive Board will critique both "online only" registration processes and if and where needed, make changes for next year. I personally thank those of you who reached out to us to address their registration issues or sharing comments and suggestions.

Legal Defense Fund (LDF) applications were sent out through an e-blast in February. This too is now an online only registration. For an initial fee of \$75.00 and an annual renewal fee of \$25.00, this is probably the best insurance you can purchase in the event you need legal assistance with a matter involving your position. Information on the Legal Defense Fund can be found on our website or by calling members of this committee (www.njclerks.org). Please remember to meet the filing deadline in order to join for 2014.

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EDITORIAL STAFF:

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ADVERTISING: Joel Popkin, MCANJ Executive Director, (732) 609-6441 E-mail: joelpopkin@optonline.net

PAST EDITORS:

1954-1959: J. Ford Flagg
1960-1970: John R. Zellweger
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 2014

President: John M. Mitch, Woodbridge Township E-mail: president@njclerks.org
1st Vice President: Keith Kazmark, Elmwood Park Borough E-mail: 1vicepresident@njclerks.org
2nd Vice President: Denise Szabo, Bernards Township E-mail: 2vicepresident@njclerks.org
Treasurer: Dina Zawadski, Deptford Township E-mail: treasurer@njclerks.org
Secretary: Kevin Galland, Woodland Park Borough E-mail: secretary@njclerks.org
Immediate Past President: Nancy L. Saffos, Cherry Hill Township E-mail: immediatepastpresident@njclerks.org
Executive Director: Joel Popkin E-mail: executivedirector@njclerks.org
Legal Counsel: Richard A. Lustgarten

MCANJ PAST PRESIDENTS * EX OFFICIO MEMBERS

1974: Joseph V. Valenti
1975: Alfred A. Reda
1977: Otto M. Bock
1981: L. Manuel Hirshblond
1985: Elizabeth G. Nolan
1987: Lewis N. Thompson
1988: Elaine Wallace
1993: John J. Galvin
1994: Kathleen A. Thorpe
1995: Christina N. Wilder
1996: Joseph C. Favaro
1997: Elizabeth H. Kiss
1999: Bernadette Dubuss
2000: Nancy Hatten
2001: Sharon L. Brienza
2002: Bernadette Standowski
2003: Allan Susen
2004: Joel Popkin
2005: Jane Williams-Warren
2006: Elaine B. Kennedy
2007: Barbara M. Hawk
2008: Heather Mailander
2009: Joan Moreland
2010: Vincent Buttiglieri
2011: Joanne M. Kwasniewski
2012: Andrew J. Pavlica
2013: Nancy Saffos

IIMC PAST PRESIDENTS

Robert Radford, Hasbrouck Heights Borough
Thomas Redanauer, Barrington Borough
Joseph T. Carney, Englewood City
Christina N. Wilder, Hamilton Township
Joseph V. Valenti, Woodbridge Township
Elizabeth H. Kiss, East Brunswick Township

MCANJ ADVISORY BOARD MEMBERS 2014

Atlantic: Carol L. Degrassi, Somers Point City
Bergen: Heather A. Mailander, Ridgewood Village
Burlington: Patricia Hunt, Moorestown Township
Camden: Deanna Bennett, Haddonfield Borough
Cape May: Scott Jett, North Wildwood City
Cumberland: Susan G. Robostello, Millville City
Essex: Linda S. Wanat, Montclair Township
Gloucester: Patricia Frontino, Glassboro Borough
Hudson: Alberto Cabrera, Guttenberg Town
Hunterdon: Cecilia Covino, Clinton Town
Mercer: Sharon Young, West Windsor Township
Middlesex: Barbara Nyitrai, South Brunswick Township
Monmouth: Jane Gillespie, Spring Lake Borough
Morris: Yancy Wazirmas, Parsippany-Troy Hills Township
Ocean: Maryann Ellsworth, Point Pleasant Beach Borough
Passaic: Jane Williams-Warren, Paterson City
Salem: Cynthia Dalessio, Woodstown Borough
Somerset: Sharon Brienza, Branchburg Township
Sussex: James Doherty, Wantage Township
Union: Jeffrey Jotz, Rahway City
Warren: Kelley Smith, Harmony Township

NEW JERSEY MUNICIPAL CLERK COUNTY ASSOCIATION PRESIDENTS

Atlantic: Olga Perez, Egg Harbor Township
Bergen: Laura Borchers, Ho-Ho-Kus Borough
Burlington: Kim-Marie White, Eastampton Township
Camden: Deanna Bennett, Haddonfield Borough
Cape May: Christopher Wood, Wildwood City
Cumberland: Roy Spoltore, Upper Deerfield Township
Essex: Joyce Lanier, Newark City
Gloucester: Dina Zawadski, Deptford Township
Hudson: N/A
Hunterdon: Cynthia Ege, Lambertville City
Mercer: Delores Williams, Princeton
Middlesex: Nennette Perry, East Brunswick Township
Monmouth: Jane Gillespie, Spring Lake Borough
Morris: Susan Caljean, Chatham Borough
Ocean: Mary Madonna, Surf City Borough
Passaic: Kelley A. Rohde, Ringwood Borough
Salem: Esther Mitchell, Mannington Township
Somerset: Kevin Sluka, Somerville Borough
Sussex: Amy Lobban, Stillwater Township
Union: Doreen Cali, Roselle Park
Warren: Kelley Smith, Harmony Township

PRESIDENT'S MESSAGE

by 2014 MCANJ President John M. Mitch

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Another significant and continuing growing means of communication has been our Facebook page. If you haven't "liked" it already, I ask you to please do so. MCANJ Past President and Information Technology / Webpage Co-Chair Andrew J. Pavlica (Garfield) along with MCANJ Quill Editor James Doherty (Wantage) do a fantastic job at keeping us updated with matters of importance and of interest.

Between the website and Facebook, it is our intention to keep all members of our association well informed. MCANJ has been in existence since 1927, promoting information and education to its members. With the advances in social media, we expect to continue this long tradition of communicating which can help each of us with new ideas as well as the sharing of information.

By the time this Quill reaches your desktop or mailbox, about 300 of us will have returned from our Annual Education Conference in Atlantic City. I do hope that you were able to obtain a healthy amount of CEU's towards your certification renewal. Our education committee worked hard for months to bring you a conference full of educational opportunities and some fun. Under the leadership of co-chairs Heather Mailander (Village of Ridgewood) and Sharon Brienza (Branchburg), I would like to thank them and committee members Nancy Saffos (Cherry Hill), Keith Kazmark (Elmwood Park), Denise Szabo (Bernards Township), Dina Zawadski (Deptford), Kevin Galland (Woodland Park), Joanne Kwasniewski (Fair Lawn), Andrew J. Pavlica (Garfield City), Diane Pflugfelder (Liberty Township), Ceil Covino (Clinton), Doreen Cali (Roselle Park), Pat Frontino (Glassboro Borough), and Joel Popkin (MCANJ Executive Director) for all their time and effort. As a team we hope that you enjoyed all of the presenters including our keynote speaker Dr. Willie Jolley (named by International Toastmasters of America as one of the leading 10 speakers in the world); the President's Reception with Will Fern (the International Man of Wonder) and pianist Michael Popkin as well as the banquet dinner with deejay Christopher Higgins. I also want to thank retirees Manny Hirshblond, Bette Mastropasqua, Joe Favaro, Terry Tighe, Joan Moreland and Tina Fiorellino for assisting us as well. It is wonderful knowing that our retirees are still willing to help when needed.

At the Annual Education Conference I also planned to continue my discussion about moving MCANJ's Annual Business Meeting away from the NJLM Conference and to our Annual Education Conference. As I indicated last September when I first made mention of this as well as at the Annual Business Meeting (November 2013) and many times since, this change makes so much sense to me knowing that many more Municipal Clerks attend MCANJ's Annual Education Conference than they do MCANJ's Annual Business Meeting.

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PRESIDENT'S MESSAGE

by 2014 MCANJ President John M. Mitch

On January 9, 2014, I appointed a committee to review this change and to report back to the Executive Board with their findings. The committee was led by MCANJ 1st Vice President Keith Kazmark and included Gloucester County Advisory Board member Patricia Frontino (Glassboro Borough), Amy Antonides (South Plainfield), MCANJ Past President Joanne Kwasniewski (Fair Lawn) and MCANJ Executive Director Joel Popkin. With information gathered by the NJLM, we learned that there were 441 Municipal Clerks registered for the 2013 NJLM Conference and 428 Municipal Clerks registered for the 2012 NJLM Conference (prior to the conference being cancelled due to Super Storm Sandy). Conversely, we had considerably less than 150 members in attendance at MCANJ's Annual Meeting in 2013 and of them, only 106 were on hand to vote on amendments to our Constitution and By-Laws and selecting who would become the next MCANJ Executive Board member. By moving our Annual Business Meeting to our Annual Education Conference, many more Municipal Clerks will be able to participate in these votes and make decisions that affect the good of all our members. At MCANJ's last conference (2012), we had more than 325 members registered.

During the month of February, the Constitution and By-Laws Committee worked on a series of proposed changes that if approved, would effectuate the aforementioned change. If all went well at our Annual Education Conference, a vote was to have taken place at our Advisory Board Meeting to approve these changes. If not, I certainly respect your vote and will move forward, continuing the tradition of holding the Annual Business Meeting during the NJLM Conference. Regardless of how the vote went, more details will follow. If the vote was favorable, I look forward to implementing the changes that will need to be made and ask for your continued support.

For the past several years, much time has been spent on reviewing and commenting on various Bills including Shared Services, Consolidation, O.P.R.A., O.P.M.A. and the Government Records Council. The MCANJ Executive Board as well as the Legislative Committee to Review Laws Affecting Municipal Clerks (Chair, Kim-Marie White [Eastampton]) will continue to monitor proposed legislation in these and other areas. If there is a Bill of importance or interest to you, please do not hesitate to let us know. Hopefully we will be able to work with the 216th Legislature in 2014 if and when needed.

2014 also is a year where MCANJ will shine with our very own Past Presidents Vincent Buttiglieri (Ocean Township) and Andrew (Drew) J. Pavlica (Garfield City) expected to be sworn in as International Institute of Municipal Clerks (IIMC) Vice President and Region II Director respectively at the 68th IIMC annual conference in Milwaukee, Wisconsin this May. I along with a number of other Municipal Clerks from New Jersey look forward to being in attendance to represent New Jersey and to support both of these fine gentlemen. As they are running unopposed, I ask that you join me in wishing both of them well.

Since January, I have also been notified of a number of retirements of long-serving Municipal Clerks. I was fortunate to be invited to a party for Bette Mastropasqua (Beachwood) on February 16, 2014. Bette not only was a great supporter and active member of MCANJ where she brought our association into the tech world, but she was equally admired by her town's officials and co-workers as evidenced by the amount of people in attendance at her dinner. On behalf of all of our members, I wish Bette and other Municipal Clerks who have recently retired continued good health and happiness in their next chapter in life and urge them to stay in touch. While we may not see them as often any longer, we certainly will not forget them. In fact, although MCANJ's Past President Nancy Hatten (2000) is long retired, we drop each other an e-mail from time to time to stay in touch. She was a fantastic president and wonderful instructor to many of us. While she may be retired, she continues to follow what is going on with our association.

In mid-February, I announced that your Executive Board supported a proposal I brought forward which would periodically recognize members of our association who promote civic involvement by getting involved in activities and events outside of their normal responsibilities as Municipal Clerk, Deputy Municipal Clerk, etc. In a program named "MCANJ Member Spotlight", we will look to recognize members who are active in either their work or home community. Members to be considered for this recognition can be nominated by other MCANJ members or non-members who wish to bring to our attention what you do outside of your job that promotes you being a town's municipal clerk. Nomination forms are available on our website. The Executive Board has also allocated some funding for recognition in our current budget for this new program. Depending on the amount of submittals during the year, MCANJ will look to recognize at least one member per month.

In closing, please remember that our association is only as good as the members want it to be. Please share your ideas and thoughts with your Advisory Board Member or a member of the Executive Board. It is only through your input that we know what is on your mind. And finally, it's hard to believe that we live in the Garden State with all of the snow we have had this season. Let's hope that we are just around the corner from warmer temperatures and sunny skies.

John M. Mitch
President, MCANJ

MUNICIPAL CLERK OF THE YEAR

A County Association or an individual Clerk may nominate a candidate for Municipal Clerk of the Year. Previous honorees are those individuals who have made positive contributions to our profession for the benefit of all of us. The Association invites you to submit the name of a Municipal Clerk who has had an impact on our profession and who should be considered for this prestigious honor. MCANJ Members may access a pdf fill-in form on the at the MCANJ website www.njclerks.org, or use the Nomination Form below.

MUNICIPAL CLERK OF THE YEAR NOMINATION FORM

(please type)

All nominees must be members of the Municipal Clerks' Association of NJ, Inc., currently employed as Municipal Clerks and tenured in their positions. Current members of the Executive Board and former recipients of the award are not eligible. Qualifications must include activities within the MCANJ and may include 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 during the League of Municipalities Conference in November in Atlantic City. Deadline for submission is July 1, 2014.

However, if our current Constitution and Bylaws are amended by the membership at the Advisory Board Meeting, March 27, 2014, 8:00 AM at the MCANJ's Annual Education Conference in Atlantic City, the selection of the annual "Municipal Clerk of the Year" shall be made by the Executive Board and announced at the Association's Annual Meeting, which shall be held in conjunction with the 2015 MCANJ's Annual Education Conference in the Spring of 2015. Deadline for submission in this case will be a date in September 2014 and will be announced in a later edition of The Quill.

Nominee: _____

Appointment Date: _____

Municipality: _____

Address: _____

County: _____

Qualifications of Nominee:

Attach statement in support of Nominee's candidacy (maximum 500 words)

Nomination made by: _____

(Name of County Organization or Individual)

Address: _____

Contact Person: _____

Address: _____

Phone Number: _____

Submit to:

Kevin Galland
Borough of Woodland Park
5 Brophy Lane
Woodland Park, NJ 07424
Phone 862-377-5369





PEOPLE PAGE

by Sharon Brienza

MUNICIPAL CLERKS' ASSOCIATION OF SOMERSET COUNTY

The Municipal Clerks' Association of Somerset County held their holiday luncheon on December 13, 2013, at Ovations in South Bound Brook. During the luncheon, 2013 President Kevin Sluka presented Past President Gregory Bonin with a plaque recognizing his service over the previous two years as President (pictured at right).



The Municipal Clerks' Association of Somerset County also held their 18th Annual Toy Drive in conjunction with their 6th Annual Food Drive at the holiday luncheon. Due to the generosity of both the Association's members and their office staffs, they had their most successful toy and food drives to date. Sharon Brienza and Greg Bonin delivered a truck full of bags and boxes to the staff at the Somerset County Food Bank who were more than appreciative.



MERCER COUNTY CLERK'S OFFICE

Mercer County Clerk Paula Sollami Covello and members of her staff sponsored "Paws for a Cause" food drive to benefit the Ewing Animal Shelter Extension League and the Trenton Animal Shelter. The culmination of this effort ended with over 400 pounds of food and supplies that were delivered on February 25th.

Pictured left to right: Mercer County Clerk Paula Sollami Covello, with Deputy Mercer County Clerk Walker Worthington and a Trenton Animal Shelter Staff member.

CONGRATULATIONS

Kevin Galland, Administrator / Clerk, Borough of Woodland Park (Passaic County) has received the prestigious Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC). The CMC designation program is designed to enhance the job performance of the Clerk in small and large municipalities. To earn the CMC designation, a Municipal Clerk must attend extensive education programs. The designation also requires pertinent experience in a municipality. The program prepares the participants to meet the challenges of the complex role of the municipal clerks by providing them with quality education in partnership with 47 institutions of higher learning. The program has been in existence since 1970 and has helped thousands of clerks in various municipalities.



PEOPLE PAGE, Continued

by Sharon Brienza

CONDOLENCES TO:

East Amwell Clerk Terry Stahl on the passing of her husband James “Jim” Stahl.

Tom and Kathy Thorpe-Holder on the death of Tom’s grandson.

It is also with great sadness to inform you about Municipal Clerks we recently lost.

Former East Amwell Township (Hunterdon County) Clerk Patricia Cregar passed away on December 19, 2013, just two weeks after resigning from the Township Committee. Pat was the Township Clerk from from 1988 – 2001. When a vacancy occurred on the Township Committee in 2007, she was appointed to fill the vacancy. She was subsequently elected to two three-year terms in 2008 and 2011. A quote in the Hunterdon County Democrat by Planning Board Chair Don Reilly read, “She was a very honest and forthright person, which is very refreshing in local politics.”

Former Stratford Borough (Camden County) Clerk Dorothy Carlson passed away on February 6, 2014. Dorothy celebrated her 100th birthday on April 13, 2013 and had six separate birthday parties and received 250 birthday cards. Dorothy received the prestigious “Clerk of the Year” award in 1982 and she taught the Clerks courses for Rutgers until her retirement in 1997. Upon her retirement, the Mayor and Council rededicated the municipal building as the “Dorothy Carlson Borough Hall.” Since her retirement, Dorothy also served twice as the Grand Marshal of the Stratford Fourth of July parade. According to her son Barry, Dorothy had a successful retirement which included travel, teaching Sunday school and reigning as what he has called “The Queen of Stratford.” Many MCANJ members will remember Dorothy at meetings impeccably dressed with high heels, which we all marveled at and hoped we could all look like that when we were 80 years old!

Former Upper Township (Cape May County) Clerk Barbara Camp passed away on December 7, 2013. Barbara was President of the MCANJ in 1992 and was Clerk of the Year in 1995. She also served as IIMC Region II Director. Barbara retired as Township Clerk in 2002 and she was elected in 2004 as the first woman in Upper Township to serve on the Township Committee. Barbara remained on the Township Committee until December 2009 when she decided not to run for reelection. When announcing the Clerk of the Year award, Barbara was described as “energetic, fun-loving and always willing to help.” For those of us lucky to have known her, no truer words can describe her, especially the “fun-loving” description! She was a member of numerous clubs and organizations including the MCANJ, IIMC, Cape May County Municipal Clerks Association, Cape May County Association of Townships, New Jersey Association of Elected Women Officials. The last time most of us saw her was during the week of the IIMC/MCANJ Conference in May (2013) where she was helping stuff the bags. She was not well at the time, but typical Barbara she downplayed it so none of us realized how ill she was. Barbara is another one who may be gone, but will not be forgotten.

Condolences to the families and friends of all listed above, and may they all rest in peace.

RETIREMENTS

Municipal Clerk Amy Kleuskens retired from Avalon Borough (Cape May County) after 25 years of service to the Borough. During the January 29th Council Meeting, Mayor Martin Pagliughi thanked Amy for her “longtime dedication of serving the people of Avalon during her tenure as Municipal Clerk.” He added that Amy and her staff “set the standard for how a Municipal Clerk’s office should operate.”

Municipal Clerk Grace DiElmo retired from Tuckerton Borough (Ocean County). To mark her retirement, at her last Council Meeting, Mayor George “Buck” Evans read a proclamation thanking her for “her patience, her leadership, her unending service and timeless dedication” and gave her a plaque that featured a clock. During the testimony, the clock’s alarm went off, reminding everyone of the five-minute egg timer Grace would set during public hearings! January 22nd was declared “Grace DiElmo Day” where she was presented with a Tuckerton flag that was to be hoisted on the flagpole outside Borough Hall.

Municipal Clerk Gail Warming-Tanno retired from Alpine Borough (Bergen County) after serving the Borough for 28 years. She was appointed Borough Clerk in 1994. Mayor Paul Tomasko said that “Gail has always performed her duties in a competent, professional, respectful and compassionate manner with an understanding of the needs and goals of the residents of the Borough.” He added that “two years ago, we made you employee of the year...as Borough Clerk, you are the backbone of government.”

PEOPLE PAGE, Continued

by Sharon Brienza

TRANSITIONS

Avalon Deputy Municipal Clerk Georgann Berardis was sworn in as Municipal Clerk effective February 1st and Teresa Dowe was sworn in as Deputy Municipal Clerk.

Former Alpine Borough (Bergen County) Police Chief Jerry Beckman was sworn in as Alpine Borough Clerk effective February 1st.

Deborah Karlsson was appointed as Hackensack's (Bergen County) City Clerk on January 6, 2014.

Rayna Harris, formerly of Raritan Borough (Somerset County) was appointed to the position of Hillside's (Union County) Township Clerk.

Sunshine Dashiell has been appointed Deputy Borough Clerk of Pemberton Borough (Burlington County).

OH BABY (OR BABIES)!

Jeanne and John Hitchner Deputy Clerk / Deputy Registrar for Commercial Township (Cumberland County) welcomed their son, John H. Hitchner IV (pictured at right), on October 26, 2013 at 7:53 PM. John weighed in at 7 Pounds, 6 Ounces. Jeanne returned to work after maternity leave in the beginning of February and said having the baby is "life changing!"



Clinton Town Clerk Ceil Covino has certainly had an exciting year. Her son got married, Ceil took a trip to Alaska, she was honored with the prestigious "Clerk of the Year" award and now she's a first-time grandma! Elenora Julia (pictured at left) was born to daughter Maria and son-in-law Alex on December 26, 2013.

JUST FOR THE FUN OF IT

Gilbert Gottfried recently performed at the Brook Arts Center sponsored by New Jersey 101.5's Steve Trevolese. The difference in personality between Gilbert on stage and Gilbert off stage was staggering – like two completely different people!

Pictured at right are Members of the Brook Arts Council Board of Directors with Gilbert (Sharon Brienza is the 2nd from the right).



APPLICATION FOR CANDIDACY: MCANJ EXECUTIVE BOARD

Article VI Section 1.1. of the current Constitution and Bylaws of the Municipal Clerks' Association of New Jersey, Inc., specifies, "Anyone seeking to be a candidate must file with the Secretary not later than 120 days prior to the Annual Meeting. No additional applications shall be accepted after this date." Article VI Section 1.3. specifies the criteria for eligibility to seek office: "All candidates shall have tenure of office, shall have experience and training for that office, shall have received the degree of Registered Municipal Clerk (RMC), and shall be actively employed as a Municipal Clerk." For anyone seeking a position on the Executive Board of 2015 (with the exception of the office of President), the following application must be filed by July 22, 2014 * in order to be eligible for consideration by the membership at the Annual Meeting to be held in Atlantic City on November 19, 2014. Check one:

1st Vice President 2nd Vice President Treasurer Secretary

** If our current Constitution and Bylaws are amended by the membership at the Advisory Board Meeting, March 27, 2014, 8:00 AM at the MCANJ's Annual Education Conference in Atlantic City, the deadline for application shall be 120 days (sometime late November 2014, to be announced in a later edition of The Quill) prior to the Annual Meeting which shall be held in conjunction with the 2015 MCANJ's Annual Education Conference and officers shall serve from July 1, 2015 through June 30, 2016.*

Name: _____

Address: _____

Municipality Employed by: _____

Position: _____

** Date of Original Appointment: _____

** Date(s) of Reappointment: _____

** RMC Certificate Number: _____ Date Issued: _____

I, _____, hereby certify that I am actively employed by _____ as a Municipal Clerk and am qualified to submit _____ (Municipality) my name as a candidate for the office of _____ of the MCANJ for 2015.

Signature

Date

** Attach certified copies of Resolutions of Appointment and RMC Certificate. (Current members of the Executive Board seeking successive office are exempt from refileing these supporting documents.)



APPLICATIONS MUST BE RECEIVED BY
JULY 22, 2014 AND MUST BE MAILED TO :

Kevin Galland
Borough of Woodland Park
5 Brophy Lane
Woodland Park, NJ 07424
Phone: 862-377-5369

MCANJ Members may also access a pdf fill-in form on line at the MCANJ website: www.njclerks.org.

DREW PAVLICA ANNOUNCES CANDIDACY FOR IIMC REGION II DIRECTOR



MCANJ Past President Drew Pavlica has applied to be a candidate for Region II Director of the International Institute of Municipal Clerks to represent New Jersey, Pennsylvania, Delaware, Maryland, Virginia and West Virginia for a term commencing in May 2014. Drew has been Garfield City Clerk since 1987 – a more than 26 year stretch of service, during which he has never missed a Council Meeting.

In addition to being a Past-President of the Municipal Clerks' Association of New Jersey, Drew is also a Past President of the Bergen County Municipal Clerks' Association, the Garfield YMCA and the Garfield Rotary Club. During his year as MCANJ President, he organized a successful Dinner Celebration of the 85th Anniversary of the MCANJ. In 2014, Drew was given the charge to update the written History of the MCANJ.

Drew has been a Member and Chairman of several MCANJ Committees, including chairing the vital Education Committee which oversees the New Jersey IIMC Institute at Rutgers University. He has compiled a two-volume Compendium of Ceremonial Resolutions and Proclamations which has proven to be a useful tool to Municipal Clerks throughout New Jersey and elsewhere. Drew created and currently administers the MCANJ Facebook Page.

He has attended IIMC Conferences in Saint Paul, New Orleans, Chicago, Nashville, Portland and Atlantic City. Drew was a member of the New Jersey Committee of last year's IIMC Conference in Atlantic City and co-chaired the New Jersey Fundraising Sub-Committee of that Conference.

The Municipal Clerks' Association of New Jersey wholeheartedly endorses Drew for this position and encourages you to support him!

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SCHOLARSHIP APPLICATION

Municipal Clerks, Deputies and Assistants continuing their education in pursuit of RMC, CMC and MMC certifications are eligible for a Scholarship. Candidates for all scholarships must be members of the Municipal Clerks' Association of New Jersey. CMC and MMC Scholarship applicants must be tenured Municipal Clerks. Scholarships shall be awarded at the Annual Meeting of the Municipal Clerks' Association of New Jersey. Four (4) RMC Scholarships shall be offered; One (1) Peter H. Maclearie CMC Scholarship (includes registration and 1 night's hotel accommodation) shall be offered; One (1) MMC Scholarship (Includes registration and 1 night's hotel accommodation) shall be offered.

Completed applications should be mailed directly to:
MCANJ SCHOLARSHIP COMMITTEE c/o Karen Hughes, RMC,
Westwood Borough, 101 Washington Avenue, Westwood, NJ 07675

APPLICATION DEADLINE IS SEPTEMBER 1, 2014 ***

***** If the current MCANJ Constitution and Bylaws are amended by the membership at the Advisory Board Meeting, March 27, 2014, at the MCANJ's Annual Education Conference in Atlantic City, the deadline for application shall be revised and announced in a later edition of The Quill.**

You are encouraged to take advantage of this scholarship program offered to you by your Association.
Please complete this application page (or a photocopy of it) and submit it as instructed.
Should you have any questions, please contact Karen Hughes at 201-664-7100. ext 101

MCANJ SCHOLARSHIP APPLICATION FORM

Name _____ Title _____

Municipality _____

Address _____

E-mail Address _____

Date of Appointment as Municipal Clerk _____ Deputy/Assistant _____

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I am applying for the:

- RMC Scholarship – cost of one (1) course
- CMC Scholarship [tenure date _____] – for tuition to CMC program by Rutgers University and one (1) night's hotel accommodation.
- MMC Scholarship [tenure date _____] – for tuition to MMC program by Rutgers University and one (1) night's hotel accommodation.

List RMC, CMC and MMC educational courses taken and indicate whether the municipality or you paid for the course.

Reminder: All applicants must be members of the Municipal Clerks' Association of NJ, Inc.
Applicants for the CMC and MMC Scholarships must be tenured.

Use a separate sheet of paper for a short statement as to why you feel this scholarship should be awarded to you and attach it to your application.

Signature of Applicant _____ Date _____

A LITTLE BIT OF OPMA

by Richard Lustgarten, MCANJ Legal Counsel

A recent case of interest, decided at the trial level in Bergen County on December 13, 2013 involves OPMA issues. A resident obtained a meeting agenda of the local Board of Education and the agenda referenced numerous attachments but none were available on the BOE's website. When the resident requested copies of the attachments, she was advised that they were not available to the public until after the meeting was concluded and then only pursuant to a written request under OPRA.

Citing OPMA's requirement that the official notice for a meeting only required the time, date, location, and, to the extent known, the agenda of any meeting and that it must be published at least 48 hours in advance of the meeting, the Board relied upon the advice of counsel and on an older formal advisory opinion of the New Jersey Attorney General to support the proposition that the supplementary materials given to Board Members to inform their decision making need not be included with the agenda.

Fast forwarding the procedural aspects of the case, the Board, after reconsidering its policy, reaffirmed that attachments would not be included with the agenda. The Court referenced the purpose of OPRA to indicate that records, unless exempted, are readily accessible to residents of New Jersey for the protection of the public interest. The Court determined in summary fashion, that the Attorney General's formal opinion does not create binding precedent. The Court also found that the failure of the Board to provide attachments and supplemental documents renders the agendas virtually meaningless. The Court opined that the attachments are not simply supplemental but rather they are an integral element necessary to understand the agenda.

The Court determined that the Board would not have to produce all attachments to the agenda and could exempt those that are exemptions under OPRA. The Court concluded that attachments and supplementary documents which are not privileged or exempt must be produced electronically with the agendas pursuant to OPMA. (In this particular municipality, apparently the materials were electronically transmitted to the Board Members prior to a meeting and the Court found that "This process will require one additional step of review to ensure that documents which are exempt or privileged are not posted. As the documents are already produced to the Board Members, posting the attachments with the agendas will not create an undue burden or cost.")

This case continues the trend of the judiciary upholding the purpose of OPMA (OPMA creates a strong presumption of access to the meetings of public bodies, allowing the public to view all meetings at which any business affecting the public is discussed or acted upon in any way). Transmittal of the supplementary documents to a resident who has requested same, when they already exist in an electronic form, supports the Legislature's policy. However, several questions arise. What does a governmental entity do if it does not transmit documents to its Council or Board Members electronically but rather in hard-copy?

The Court's analysis that transmitting the documents electronically is a process that only requires "one additional step" now is not quite so simple. The documents in hard-copy would need to be made available and presumably sent to a resident who makes a request for same. If a resident or residents at a meeting, request the supplementary materials at that meeting and not prior, how many copies of the supplemental materials are required to be put out on the table for public access? Obviously the ease of transmitting something electronically allows compliance with the Judge's opinion and is "rather simple" as the Judge stated.

But what happens when you have a controversial issue, perhaps relating to re-zoning or before a Board of Adjustment or Planning Board of a fact sensitive application, or some other issue that is supported or opposed by massive documentation? How does the governmental entity comply with OPMA if, again, the requests for documentation are only made at the meeting itself and not prior thereto? This is not strictly a hypothetical situation because under NJSA 10:4-8 (d) adequate notice of a meeting is defined as notice of "at least 48 hours . . . before the meeting. If a meeting is called on such short notice, albeit legally sufficient, the public would not have enough time to request documents referenced on the agenda before the actual meeting.

While the Court in the decision referenced based its conclusion on the basic principles of OPMA and the ease of electronic transmittal, it is my view that the underpinnings of the opinion would require the hard-copy production as well, as there is no logical, although there is a practical, difference between the requirement of production. It is merely the method of production that would be different.

This opinion, as the writing of this article, was not approved for publication, and at this juncture, I do not know if it is under appeal. If the natural extension of the opinion is to apply to hard-copies of materials, there should be some request for legislative relief in setting forth the time frames for requesting the documents and the response for same, not under OPRA but under OPMA. The opinion strongly supports the public's right to know, but unfortunately doesn't address the significant mechanics of compliance in all circumstances. I am sure that will be the subject matter of some future opinion.

2014 IIMC REGION II CONFERENCE

"As The Generations Turn" held at the Comfort Inn Conference Center in Bowie, Maryland from January 15-17, 2014.



Photo At Left: (L-R) Barbara Ilaria of Manasquan, Beth Dilts of Lopatcong, Drew Pavlica of Garfield, IIMC President Marc Lemoine, Municipal Clerks' Association of New Jersey President John Mitch of Woodbridge, Heidi Brunt of Middletown Township, Region II Director Vinny Buttiglieri of Ocean Township and Eileen Gore of Hamilton Township.

Pictured Below: Region II Directors Vinny Buttiglieri (Left) and Kim Rau during the IIMC Region II Business Meeting.



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THE COURT SAYS YA GOTTA PAY

by Richard Lustgarten, MCANJ Legal Counsel



The clash of competing interests is as old as history itself. Cain v Abel, Athens v Sparta, Patriots v Loyalists, and currently legislative responsibility and authority v the rights of public employees.

In January of this year, in a comprehensive 46 page opinion, the New Jersey Appellate Division rejected challenges by various Plaintiffs which collectively included teamsters, State Firefighters Association, local PBAs, Sheriff Officers PBAs, Superior Officers Association, the NJEA, the NJFOP and others. The collective Defendants were the State of New Jersey, the New Jersey Department of Treasury, New Jersey State Health Benefits Commission, the Governor, the Assembly, the State Senate and others. The name of the case is Teamsters Local 97, etc. v State of New Jersey, etc.

The issues involved were extremely complicated relating to equal protection arguments, the constitutionality of changes in the State Health Benefits Program, mandatory contributions by employees, alleged violation of collective negotiations and other violations of the State and Federal Constitutions.

One indication of the complexity of the three cases which were consolidated under the above referenced name, is that the Appellate argument occurred on February 27, 2013, and the case was not decided by the Court until January 31, 2014, some eleven months later. At the outset the Court set forth the essence of the appeal as follows: “The issues in these consolidated appeals involve public employees of the State, its political subdivisions, and their agencies. As compensation for their services, many public employees receive, among other benefits, health care insurance and pensions. To the extent the employees are required to contribute toward their benefits, their disposable income is reduced. Yet, the money that funds employee benefits is not unlimited and State officials are charged with the profound responsibility not only of insuring that the health care and pension systems are fiscally sound, but also that the State remains fiscally strong and that the burden on the State’s taxpayers does not become intolerable. The interest of public employees and their representatives sometimes clash with the obligation of State government. Such is the case in this appeal.”

The collective Plaintiffs challenged the constitutionality of laws enacted in 2010 which made changes to State-administered retirement systems, changes to eligibility requirements for, and benefits provided through, the State Health Benefits Program, the School Employees’ Health Benefits Program and a third law which made changes to other public employee benefits.

The trial judge, responding to various motions made, dismissed all of the various Plaintiffs’ claims on the basis that they failed to state a cause of action on which they were entitled to relief.

Without going into much detail about some of the legal standards that the Appellate Division had to apply with respect to evaluating the Motions to Dismiss, and the propriety of naming certain individuals as Defendants, the Court addressed the core argument of the Plaintiffs that the enactment of those statutes should be declared void as unconstitutional.

The Court reviewed in depth the legislative history and the concern of the Legislature in maintaining the viability of the Health and Pension systems and a reduction in taxpayer burdens in funding them.

One section changed the definition of “final compensation,” used in calculating retirement benefits for the members of the Police and Firemen’s Retirement System. The definition changed the law from a calculation of the last 12 months of creditable service to the average annual compensation for the three fiscal years providing the largest possible benefit to the member or the member’s beneficiary. The State calculated that this change in definition would save almost \$54 million in required contributions by State and local employers.

The next change related to a required participation by a member of the State Health Benefits Plan of 1.5% of base salary notwithstanding any other amount that may be required additionally pursuant to a binding collective negotiations agreement.

The third statute at issue required a retiree to contribute an amount equal to 1.5% of the retiree’s monthly retirement allowance if the retiree became a member of a state or locally administered retirement system on or after the effective date of the statute.

Continued on Page 15

THE COURT SAYS YA GOTTA PAY

by Richard Lustgarten, MCANJ Legal Counsel

Continued from Page 14

The Court noted that the State Department of Treasury, Division of Pensions and Benefits estimated that these contributions by active and retired public employees would result in savings of almost \$1 billion in fiscal years 2011, 2012, and 2013.

Some of the arguments asserted by the collective Plaintiffs was that the mandatory 1.5% contribution violated various rights guaranteed by the State and Federal Constitutions, that they violated the collective bargaining statute, that the delegation of authority to a 'design committee' to set amounts for maximum co-pays, and deductibles with respect to health benefits was in fact a tax and must originate from the Legislature, not an administrative agency.

Distilling the many other arguments that were made both by Plaintiff and Defendants, the Court's analysis commenced with the general principal that statutes are presumed to be constitutional. It is the challenging parties' burden to prove otherwise and the Court found that the Plaintiffs failed to carry that burden.

In disagreeing with Plaintiff's challenge relating to the 1.5% contribution for health care benefits, the Court rejected Plaintiff's contention that all health care benefits are a negotiable term or condition of employment under the New Jersey Employer-Employee Relations Act as it was preempted by the Legislature in its enactment of the mandatory 1.5% contribution.

The Appellate Division also rejected the equal protection argument with respect to public employees and retirees making a 1.5% contribution for those benefits.

The Court said that if the legislation has some reasonable or rational basis in its application, the Equal Protection Clause is not violated since the Legislature must have substantial latitude to establish classifications that roughly approximate the nature of the problem perceived, that accommodate competing concerns, both public and private, and that account for the limitation and practical ability of the State to remedy every ill.

In effect, the Court showed due deference to the Legislature in attempting to reduce the cost of Health and Retirement Benefits and found all of the arguments made by Plaintiffs unpersuasive to overcome that objective. The Court also placed some weight on the fact that the additional contributions were not required until the existing collective negotiated agreements expired. In short order, the Court rejected the 1.5% contribution as an invalid tax on income, as being void for vagueness, as a violation of procedural and substantive due process, as constituting an unlawful taking and as a special law that decreases the emoluments of public employees as well as interfering with the internal affairs of municipalities.

To quote the Court in its final determination, "We end where we begin. We recognize that chapters 1, 2, and 3 affect the disposable income of the States active and retired public employees, but the Legislature enacted these laws to ensure that the State's Pension and Healthcare systems remain fiscally sound, and the State's taxpayers are not unduly burdened. The legislation furthers legitimate State interest and violates neither the New Jersey Constitution or the United States Constitution."

As of the writing of this article it is not known whether any of the Plaintiffs or the Plaintiffs collectively will appeal this decision. Since there was no dissent, an appeal to the New Jersey Supreme Court is not automatic and the Plaintiffs would have to move for certification to that Court.

In effect, the Court showed due deference to the Legislature in attempting to reduce the cost of Health and Retirement Benefits and found all of the arguments made by Plaintiffs unpersuasive to overcome that objective.

"MCANJ Member Spotlight" By John M. Mitch, MCANJ President

Congratulations to Cape May County Deputy Clerk Diana L. Hevener and to Bernards Township Deputy Municipal Clerk Rhonda Pisano for being named MCANJ's Member Spotlight honorees for the month of February 2014. Diana Hevener is to be commended for her many years of work with the Cape May County Toys for Tots program and Rhonda Pisano for her years of volunteerism with the Liberty Corner Fire Company, Camp Fatima, and Plays-in-the-Park. Please join me in congratulating both ladies for bringing attention to their position as clerks and for their engagement in civic activities or events outside of their work duties and responsibilities.

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

“ALSO KNOWN AS (PART III)”

- | | |
|------------------------|--|
| ___ Allendale Borough | A. Bergen County’s Parkland |
| ___ Brielle Borough | B. The Year Round Recreation Capital |
| ___ Jefferson Township | C. Resort Town of the Seven Presidents |
| ___ Long Branch City | D. The Newport of Bergen County |
| ___ Mahwah Township | E. A Community By the River |
| ___ Hamburg Borough | F. The Family Town |
| ___ Emerson Borough | G. The Children’s Town |

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

Here are the answers to the Matching Challenge shown on Page 17

D Allendale Borough (Bergen County): By 1859, railroad commuters from New York came and settled in Allendale, establishing summer homes. Others came for vacation. By the 1880's Allendale had gained a reputation as the "Newport of Bergen County". It was said that during the 1880's and 1890's there was barely a house in town that didn't have a "boarders" sign hanging out front.

E Brielle Borough (Monmouth County) has 4 miles of waterfront along the Manasquan River, Glimmerglass, and Debbie's Creek, earning Brielle the Motto, “A Community By the River.” Because of its waterfront charm, the town has flourished as a resort. Its marinas have more than 200 commercial and charter fishing boats, seafood restaurants abound, and there is a busy and lively pleasure boat fleet.

B Jefferson Township (Morris County) is known as “The Year Round Recreation Capital” and always has an activity going on. Picnics on the fields, a good old fashioned square dance at night, playgrounds, and High School sport events are ever present. The Rockaway River’s source starts deep within Berkshire Valley, giving local anglers a trout fishing experience. Nature abounds Jefferson with wildlife and foliage.



C Long Branch City (Monmouth), called New Jersey’s “Resort Town of the Seven Presidents”, was considered a "Hollywood of the east” in the 19th Century, where some of the greatest theatrical and other performers of the day gathered and performed. It was visited by Presidents Chester A. Arthur, James A. Garfield, Ulysses S. Grant, Benjamin Harrison, Rutherford B. Hayes, William McKinley, and Woodrow Wilson. As the photos show here, our Presidents weren’t much for smiling back then.



A Mahwah Township (Bergen County): With the natural beauty of the Ramapo Mountains and the crystal clear Ramapo River on its border, Mahwah is better known as "Bergen County's Parkland". Hosting several State and County Parks on almost 5,000 acres of county and state parkland, Mahwah offers hiking, skiing, snowboarding, biking, archery, swimming and fishing, along with many municipal recreational facilities.

G Hamburg Borough (Sussex County): Life in Hamburg at the turn of the last century was much different than it is today. The pace of life was slower and social life revolved around the clubs and organizations of the community. Weekly summer concerts were a feature of community life. Hamburg’s commitment to its future generations is still preserved today by its official slogan, “The Children’s Town.” Still have doubts? Lets talk about it in Hamburg at “Gingerbread Castle.”

F Emerson Borough (Bergen County): Emerson calls itself “The Family Town” to celebrate its rich history of family values. Emerson was built on the hard work of the Jersey Dutch who cleared the forests for home and farm in the 1800’s, followed by immigrant families of Italian, German and other ethnic heritage, who have turned a sparsely populated, rural outpost into a thriving 21st Century Suburban community.

MCANJ TREASURER REPORT as of March 10, 2014

<u>COUNTY</u>	<u>TOTAL # MUNICIPALITIES</u>	<u># MUNICIPALITIES PAID</u>	<u>% PAID</u>
Atlantic	23	10	43%
Bergen	70	41	59%
Burlington	40	20	50%
Camden	37	25	68%
Cape May	16	8	50%
Cumberland	14	5	36%
Essex	22	8	36%
Gloucester	24	11	46%
Hudson	12	1	8%
Hunterdon	26	20	77%
Mercer	13	3	23%
Middlesex	25	13	52%
Monmouth	53	24	45%
Morris	39	27	69%
Ocean	33	21	64%
Passaic	16	9	56%
Salem	15	9	60%
Somerset	21	13	62%
Sussex	24	15	63%
Union	21	7	33%
Warren	22	16	73%

MCANJ, INC. MEMBERSHIP

Full—Municipal Clerk	423
Affiliate—All Others	20
Honorary Membership (Retired)	40
Full—Clerk of the Freeholder Board	2
Associate—Assistant Municipal Clerk	18
Assistant—Deputy Municipal Clerk	170
Full—Acting Municipal Clerk	13
Associate—Deputy Municipal Clerk	2
Full—County Clerk	2
TOTAL:	690

Respectfully Submitted,



Dina Zawadski,
RMC/CMC
MCANJ Treasurer

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DEADLINES FOR NEWSLETTER ITEMS

The deadline for People Page submissions for the July 2014 issue is June 2, 2014. 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

The General News Articles deadline is June 9, 2014, and may be sent to:
Jim Doherty, Township of Wantage, 888 Route 23, Wantage, NJ 07461 or via email to: administrator@wantagewp-nj.org.

Questions or comments regarding this or any issue of 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.

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