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PRESIDENT'S
MESSAGE
DINA ZAWADSKI**



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MESSAGE
DENISE SZABO**



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**2017 MCANJ
ANNUAL
CONFERENCE**



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Incoming MCANJ President Dina L. Zawadski's Message to our members:



This certainly is an honor to become the President for MCANJ and I'm truly proud to be the 1st President from Gloucester County. I have dedicated over 22 years to Deptford Township as their Municipal Clerk, and it is with the same enthusiasm that I will proudly serve this great association.

Our position as Municipal Clerks is similar to a diamond. One everyone wishes to have. We are precious, and made stronger under pressure. We have many facets and when transparent (as we all should be), we are highly valuable. We do our best to be reflective and have clarity. In the best light, we can "sparkle". We should all strive to be the best diamond we can be.

Our Annual Conference is a great opportunity to earn the required CEU's, as well as to network with other Clerks throughout the State of New Jersey. Whether you are a new Clerk or one who has been a Clerk for over a period of time, networking is crucial. It involves connecting and building valuable relationships. It involves working closely with other Clerks to be aware of potential and future needs or problems and devising a strategic plan. Our conferences strongly encourage Clerks and volunteers to take advantage of the benefits of networking. Keeping abreast of changes that will affect us in our positions is paramount to a successful organization.

During my term as President, I would like to see members volunteer to be a part of our association to connect, contribute and collaborate with the MCANJ. Through volunteerism, we gain valuable ways to expand our professional network and increase our knowledge by serving on the MCANJ Committee. Not everyone is suited for every committee, some committees require more of a time commitment than others, but I can tell you, it has truly been a very rewarding experience for me. We have implemented conference call meetings for many of our committees. I want to encourage convenience for Clerks to be more actively involved in our Association. This also alleviates travel expenses, and physical time out of the office.

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**A Day in the Life of a Municipal Clerk
Strange Laws**

By Michele Lynn Seigfried



I recently read an article about a Pennsylvania law that forbids organizations from advertising the dollar value of cash prizes for bingo. It made me think about the New Jersey law that forbids advertising BYOB. It also made me think about how many people break those laws, not knowing any better. Which made me think about all the different laws for all the different towns and how some just seem strange to me. (Maybe I shouldn't think so much!)

For example, in Carteret, the Council may, by proclamation, require all dogs and cats to be quarantined during such period in each year as may seem advisable to the Council. (*Carteret Code §118-10*). *Knowing that there are well over 1,000 dogs in my town, I can't help but wonder, where would they put them all? And if they quarantined dogs to the house where they live, are they allowed out to do their business?*

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MESSAGE FROM INCOMING PRESIDENT (CONT'D)

One of my goals is that we have a strong voice in the development of our role as Municipal Clerks. I want to advocate a clear understanding of the official obligations of Municipal Clerks throughout our State.

I would like to increase our input in reviewing any proposed changes to legislation that would affect members of our association.

Another goal of mine is to keep Municipal Clerks aware of any changes or proposed changes to the OPRA and OPMA laws that will affect us all. I want to best represent the collective opinion of our association.

In closing, with your support, help, and our combined efforts, the MCANJ will continue to have a strong voice with our legislators. We will aggressively meet any challenges that may arise that will affect the duties and responsibilities of our Municipal Clerks throughout the State of New Jersey.

I would like to remind everyone, I am always available to help you in any way that I can. Please feel free to reach out to me with your questions, concerns or suggestions.

In order to be successful in life we must collaborate as a team and not stand alone. Our association will continue to be an educator, remain efficient, and stand proactive in the roles and responsibility of Municipal Clerks.

Looking forward to a productive 2017/2018 for our association!

Dina

PRESIDENT'S OUTGOING MESSAGE



The state of the Municipal Clerks' Association of NJ is strong with 802 members.

Our CPA, Steve Weinstein reports that: "MCANJ continues to provide the programs and initiatives required and expected by its members. MCANJ has raised the necessary revenues in excess of expenditures, and has maintained a prudent approach to the administering of its funds. MCANJ remains financially sound."

Having just returned from the IIMC Conference in Montreal, I've been reflecting on the universal role municipal clerks play in local government all over the world. How awesome it is to be part of this dedicated group of individuals who bring orderliness to government. It was especially exciting to see our very own Vincent Buttiglieri of Ocean Township standing at the podium as president of the IIMC. Vinny, congratulations on a job well done.

Our association has seen much turn over in the past year, with many of our long-time and well respected colleagues retiring, but we also welcomed 36 new municipal clerks into the fold.

Having our conference at The Palace in Somerset this year was a change for our association. The conference evaluations proved that the new location and format was very well received. We welcomed 54 first-time attendees to our Education Conference.

I want to thank the Conference Committee, co-chaired by John Mitch the Municipal Clerk of Woodbridge Township and Heather Mailander the Municipal Clerk of Ridgewood Township, and of course the Executive Board and Executive Director Joel Popkin, for their assistance in putting together this conference. This is a dedicated group of municipal clerks who worked hard to create this opportunity for municipal clerks from all over the state to come together, be motivated, hear about topics of interest, network with each other, and have some fun, so that we returned to work rejuvenated and refreshed armed with new tools and information to be a better versions of ourselves.

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Outgoing President's Message (contd.)

As of the date of this article drafting, some legislation of interest to watch:

1. S-1046 (OPRA) and S-1045 (OPMA) – On 12/16/16, Immediate Past President Kazmark, 1st Vice President Dina Zawadski, MCANJ Attorney Michael Herbert and NJLM Analyst Lori Buckelew meet at Senator Loretta Weinberg's office along with representatives from NJ Press Association to discuss proposed changes to OPRA and OPMA. It was a productive meeting finding common ground with on several issues. However, there are still concerns regarding the proposed legislation. We thank the Senator for setting up these meetings and will continue to keep an open dialog on these matters.
2. A-4532 (OPRA) to eliminate personal information from being distributed through an OPRA request. The bill was brought forth by Assemblyman Wayne DeAngelo as a result of Robbinsville. MCANJ sent a letter of support to the sponsor. The League was joined by the NJ Association of Counties and NJ School Board Association also supporting of the legislation.
3. A-4429 (Prietro/Bramnick) and S-2855 (Whelan/Doherty) "Electronic Publication of Legal Notices Act"; permits publication of legal notices by government agencies and persons on official government notice websites instead of newspapers. These bills were pulled from the agenda in late December. At the time both the Governor and Speaker indicated that the initiative remains a priority that may be revisited in 2017.

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WHEN AN OPRA REQUESTOR STEPS OVER THE LINE

By Carl A. Taylor III, Esq.

Even on average days timely addressing all of the requirements of the Open Public Records Act ("OPRA") may feel like "death by a thousand cuts," but what options are available when our open public records laws are clearly being misused to harass records custodians and government entities? The purpose of this article is not to address those serial-filers that ultimately have their heart in the wrong place, but that misguided citizen (or four!) that every municipality or government entity seems to have, those that are filing numerous OPRA requests absent even a modicum of good faith.

The short answer has long been 'there's not much that can be done,' and that answer has more often than not been supported by the legislature and the judiciary. The recent case of Township of Teaneck, et. al. v. Elie C. Jones, BER-C-14-17 (Unpub. trial court 2017) is a case representative of such mores, but one that also provides hints to legal options that may be available when confronting these difficult situations.

Teaneck v. Jones

In the Jones matter Teaneck Township sought a preliminary injunction against an alleged serial OPRA requestor restraining the citizen from filing additional requests pending further order of the Court. Teaneck Township also sought relief from being required to respond to the OPRA requests already filed by the citizen that remained pending. Defendant OPRA requestor had filed approximately three-hundred and eighty (**380!**) OPRA requests between November 16, 2016 and January 17, 2017. The trial court denied Teaneck's requests in their entirety, which included the imposition of special handling fees to be paid by the Defendant for the increased personnel costs of responding to such voluminous requests.

In its decision the Court admitted that "It is easy to understand the Township's frustration" and noted that the OPRA requests commenced a few days after the Township "rejected defendant's \$10,000 settlement demand in an action brought by defendant against a Teaneck Law enforcement officer." The decision further referred to the subsequent actions of Defendant as filing "an avalanche of OPRA filings," and noted that: "virtually all of these OPRA requests are multi-part. The accumulated volume of the requests is the size and heft of a phone book."

Nevertheless, the Court held that "the legislature intended that only requestors may seek review of OPRA decisions." The holding further advised the Township that a valid countermeasure when faced with abusive OPRA demands may be to merely deny all such requests and rely upon disruption of agency operations defenses. But as records custodians know, making such a determination leaves you and your municipality open to collateral attacks for sanctions and reimbursement of counsel fees. The trial court decision noted that such measures can only be taken defensively under OPRA. In other words, records custodians *may be entitled to a shield (and a small one, at that), but certainly not anything closely resembling a sword to address such situations.*

(continued) In other words, in New Jersey OPRA cases records custodians and their municipalities will continue to occupy the “defendant” rather than “plaintiff” position in lawsuits.

Regarding allegations of bullying of government staff the Court stated: “A person who engages in harassing conduct against another may be made to answer for that conduct under the civil law and under the criminal code...such harassment can be remedied under the civil law via a damage award, or by injunctive relief, or through prosecution, or through a combination of these avenues of relief.” Regarding abuse of process claims the Court noted that OPRA requests can never trigger an abuse of process but noted that perhaps the filing of bad faith suits would trigger abuse of process claims.

To those that regularly confront abusive OPRA requests/requestors or that may confront such issues, the Jones case perhaps does not provide much in the way of positive affirmation. However, perhaps there are other methods to consider which are not addressed specifically in this opinion. The main takeaway from Jones is that courts will likely not under any circumstances allow records custodians or government entities to file initial lawsuits seeking OPRA injunctions. Although Jones is a non-binding trial court opinion, it seems more likely than not that appellate courts and trial courts in most other jurisdictions would follow this logic given the absence of such affirmative relief in the OPRA statute. But if a lawsuit is filed by an OPRA requestor, then all of the other appropriate court rules and sanctions still apply.

Frivolous Litigation

R. 1:4-8 addresses frivolous litigation in our court system and states that court papers may not be “presented for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.” R. 1:4-8 states that sanctions may be made against individuals or their attorneys that file frivolous pleadings or undertake frivolous litigation. Although sanctions and legal fees are a one-way street under the OPRA statute, R. 1:4-8 applies to any court proceeding. When an improper or harassing OPRA lawsuit is filed a discussion with counsel may be appropriate to determine if a R. 1:4-8 letter is warranted, although it should be noted that regardless of the underlying court matter such sanctions are rarely sought and only granted in the most egregious of situations. Courts have also been known to bar those engaging in harassing litigation. Although this again fails to provide relief at the OPRA request stage, there may therefore be paths forward once suit is initiated.

There appears to currently be judicial silence regarding the imposition of frivolous litigation sanctions in the context of OPRA, but this does not represent an inability or unwillingness to impose such sanctions but rather a dearth of such requests being pursued. Indeed, many government entities would be rightfully cautious to raise such issues even if warranted so as to avoid potential bad press, additional legal costs, and a climate that has recently given rise to sanctions akin to Anti-Slapp suits. Nevertheless, frivolous litigation and barring harassing suits may prove to be an additional tool for confronting bad-faith OPRA requestors given courts apparent unwillingness or inability to bar the filing of future OPRA requests.

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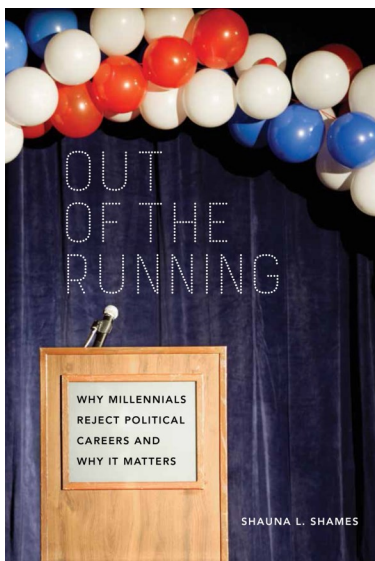
The Age of Declines: Researcher's New Book Explores Why Millennials are Rejecting Public Office

By Tom McLaughlin

Are politicians and public officials about to become a dying breed?

While there is a lack of racial and gender diversity in politics, more subtly, there are actually very few millennials – regardless of race or gender – interested in pursuing elected office, explains Shauna Shames, an assistant professor of political science at Rutgers University–Camden.

Shames explores the reasons behind this alarming pattern among millennials, roughly defined as people born between the early 1980s and late 1990s, in her enlightening new book, *Out of the Running: Why Millennials Reject Political Careers and Why It Matters* (NYU Press).



Shauna Shames

The Rutgers–Camden researcher began this study as part of her doctoral dissertation at Harvard University, initially focusing on why the diversity of the nation is not reflected among its elected officials, especially in national governance. She conducted extensive surveys of nearly 800 graduate students at Harvard Law, Harvard's Kennedy School of Government, and Boston's Suffolk University Law School, which historically have been feeder schools for candidates in state and federal elected offices. She quickly realized, however, that she needed to expand the scope of her research.

"Few in this generation are interested in serving in political office," says Shames. "It wasn't just women and people of color who had reasons not to be interested, although women of color did feel these reasons more deeply."

Shames conducted 52 follow-up interviews, collecting considerable data on the students' backgrounds, political experiences and ambitions, ideological opinions, party affiliations, and views on political issues and the role of government. She then analyzed their perceived rewards and costs of running for elected office.

"For many of these young people, there were many rewards to running for office, but when they added up the costs, the overall net reward was around zero; often the high costs even outweighed the potential," she says.

According to Shames, some of the primary reasons for this lack of interest are what one would expect. The biggest one cited was the "unsavory" need to raise campaign funds – spending time asking others for money, and, in the process, what the respondents viewed as compromising one's principles.

"There are a whole set of factors around how we view campaign funding," says Shames. "From the outside, it looks corrupt and young people are especially aware of that appearance. The whole thing seems 'icky.'"

Another primary reason, says Shames, was the fear of media intrusion into the private lives of candidates and their families.

"There was this overwhelming fear that one's family would under constant surveillance, gossiped about, or attacked," explains the Rutgers–Camden researcher.

According to Shames, it is quite understandable that millennials have these reservations, given the "acrimony, nastiness, and hyper-partisanship" that they have seen firsthand. She further notes that millennials are often maligned with vicious stereotypes – being seen as selfish and technology-obsessed – but that assessment is far from the truth.

"They are actually very interested in doing great things and making the world a better place, but don't see politics as the way to do it," she says.

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IMPEACHMENT AND RE-CALL---DIFFERENT METHODS, SAME OBJECTIVE

**By
Richard Lustgarten, Esq.**

After the American revolution, there was great debate relating to the form and substance of what the national government would look like. The Federalist papers demonstrate the tension between a strong central government on one side (Hamilton and Madison) and limited government and state power on the other (Jefferson).

Of great concern was the power of the executive. After denouncing the King of England in the Declaration of Independence, and fighting a war to throw off the colonial yoke, many were concerned that the government might just be replacing one form of sovereign with another. You may remember from History 101, that Kings and other leaders (Czars, Potentates, Emperors etc) were lineal successions and unless otherwise deposed, passed from ruler to children. As we know, Kings ruled until they died, abdicated or were kicked out.

One of the principles underlying the US Constitution was to establish a system of checks and balances to protect the democratic process. As an example both houses of Congress are needed to adopt a bill. It is then sent to the President to accept or reject. If rejected, it can still become a law if the both houses override the President's veto. Thereafter, the law can still be challenged in the Courts and if the Supreme Court declares it unconstitutional, it is no longer the law. A final check, rarely used, is for the people to petition their legislatures and Congress to amend the Constitution to overturn the Supreme Court decision. Clearly the Framers established a cumbersome procedure to adopt laws.

The Constitution became effective on March 4, 1789 and has been amended 27 times since then. The legislative powers are enumerated in Article One, with the executive powers set forth in Article Two and Judicial powers in Article Three.

Section 4 of Article Two provides for the removal of the President and other Federal officers by way of impeachment for treason, bribery or other high crimes and misdemeanors. While treason and bribery are terms with common meaning there is much debate as to what constitutes "high crimes and misdemeanors".

Some commentators believe that the definition is only what a majority of the House of Representatives and Senate say it is. The process is really two-fold and the term impeachment is not the completed action. A simple majority of the House will vote on Articles of Impeachment which acts as an Indictment (although not criminal in nature). The matter then goes to the Senate which tries the allegations with the Chief Justice presiding. If a majority of the Senators present vote in favor of the charges, the President is removed from office. There is some debate as to whether the President is also subject to criminal prosecution. The decision of the Senate is not appealable to the Courts and is therefore final. Only two Presidents in our history have been impeached. About 17 other Federal officials have also been impeached. President Andrew Johnson was impeached and Acquitted in 1868.

President Bill Clinton was impeached and acquitted in 1999. Johnson was accused of violating the Tenure of Office Act. Clinton was accused of perjury and obstruction of justice. President Nixon was not impeached by the whole House although the House committee hearing the matter voted on Articles of Impeachment. He resigned before the whole House had a chance to vote.

Since only eight of nineteen officials charged (Presidents, Judges, Cabinet secretary and Senator) were actually convicted, the impeachment process has acted as a limited check and balance but it is real and serious in nature.

Our current New Jersey Constitution was adopted in 1947. Article VII entitled "Public Officers and Employees" in Section III sets out the process for impeachment. It is somewhat similar to the Federal approach. The Governor and all other state officers while in office and for two years thereafter (?) shall be liable to impeachment for misdemeanor committed during their respective continuance in office. (Query? If impeachment is a removal proceeding what is the point of the "two years thereafter" language.)

Continued on the next page

IMPEACHMENT AND RE-CALL---DIFFERENT METHODS, SAME OBJECTIVE

(continued)

The Assembly has the sole power to impeach by a vote of a majority of all the members. It then moves to the State Senate and conviction is by a two-thirds majority, If the Governor is impeached the Chief justice presides. Judgment of impeachment is for purposes of removal from office and future disqualification to hold a public office but there is no prohibition to further try the individual by indictment and the criminal process. Again, "misdemeanor" is not defined in the Constitution.

Clearly the process of impeachment at the Federal and State levels share common characteristics but it should be noted that these are elected officials initiatives. They are not citizen or voter recourses. That process is reserved for recall.

In every process there has to be an underlying authority on which the process is based. Article 1, Section 2b of the NJ Constitution provides such authority. It states in part "The people reserve unto themselves the power to recall, after at least one year of service, any elected official in this State..... The Legislature shall enact laws to provide for such recall elections."

NJSA 19:27A codifies the procedure. In summary form it goes as follows.

A recall committee must file a notice of intention to recall an elected official. It is filed with the county clerk. The notice must contain: the name and office of official to be recalled; the names and addresses of at least three members of the recall committee; the name of the committee in the basic form of "Committee to recall A recall committee must file a notice of intention to recall an elected official. It is filed with the county clerk. The notice must contain: the name and office of official to be recalled; the names and addresses of at least three members of the recall committee; the name of the committee in the basic form of "Committee to recall ----from the office of----";a certified statement by each member that he/she is a registered voter in the elected official's jurisdiction and they support the recall and accept the responsibilities of serving on the committee; optional statement not to exceed two hundred words as reason for the recall; a statement that the recall shall be at the next general or regular or special election; circulators of the petition and those signing it must be registered voters in the jurisdiction of the official to be recalled; at least 25% of the registered voters who voted in the last general election in that jurisdiction must sign to be valid.

The recall committee has 320 days to get enough signatures in the case of a governor or senator and 160 days for other elected officials to have the matter placed on the ballot. An elected official has 10 days to challenge the validity of the petition and if not challenged it is placed on the ballot. It is adopted by a majority of voters voting yes.

Hence this procedure gives the people a direct right of removing an elected official and there is no statutory requirement of an offense to be alleged as there is for impeachment. Clearly, however, the 25% signature requirement is a substantial burden so the "no offense required" is offset by that. For example, in 2013 the Governor received 1,278,932 votes. 25% of that is almost 320,000 signatures.

Given the abuse of executive power by unelected sovereigns, it is clear that a check and balance system that benefits the governed is a bedrock of the democratic state. While legal in procedure it has been called a political remedy which can undo an election. No doubt it is a difficult process to undertake and that is why it has been used so infrequently over the course of the last 220 years. Nevertheless, the spectre of impeachment or recall may in and of itself be a restraint on ill-advised or unbridled power.

I couldn't find a good quote about impeachment from a famous governmental official or historical figure so I humbly submit my own.

" If impeachment were easy, elections mean nothing. If you don't impeach when impeachment is called for, we lose our democracy."

Happy Summer.

THE QUILL

NOTICES FOR PUBLIC METINGS (RICE)

Michael W. Herbert, Esq.
Attorney for Municipal Clerks Association

On February 8, 2017, the New Jersey Appellate Division published a decision regarding the timeliness of public meeting minutes and the requirement of notices informing Municipal employees of their rights pursuant to N.J.S.A. 10:4-12b(8). *The Appellate Division, once again, reaffirmed that public employees whose employment status may be adversely affected were required to receive a notice informing them of their rights pursuant to Rice v. Union Cty. Reg'l High Sch. Bd. Of Educ., 155 N.J. Super. 64, 73 (App. Div. 1977). This written notification is commonly known as a "Rice Notice."*

With respect to the "Rice Notice" issue, the trial judge found that the Board did not violate the Open Public Meeting Act when it voted in public session not to retain Valera Hascup without first advising her in writing of her right to waive the privacy protections afforded public employees, pursuant to N.J.S.A. 10:4-12b(8). The trial judge reasoned that because there was no discussion of Hascup's employment status during closed session, and no intention to engage in such discussions, that Open Public Meetings Act ("OPMA") did not require the Board to issue Rice notes.

The Appellate Division strongly disagreed. According to the decision issued by Judge Fuentes, the notice was certainly required in this case, even though the Board did not discuss Hascup's reappointment in closed or open session. The court summarized its holding as follows:

With respect to plaintiffs' cross-appeal, we disagree with the trial judge that a Rice notice was not required in this case because the Board did not discuss Hascup's reappointment in private session. Acceptance of the Board's position would sanction members of public bodies to take action on personnel matters without discussion or deliberation, for fear of violating the affected employees' privacy rights. As plaintiffs correctly point out, the fact that the Board voted not to reappoint Hascup without discussion in order to avoid sending her a Rice notice obscured the decision-making process. This is precisely what the Legislature intended to prevent when it adopted the OPMA.

The Appellate Division was clearly disturbed by the fact that the Board was trying to skirt its responsibilities to notify an employee under Rice. The court held that a board could not simply avoid discussing a matter on the record entirely, and then take formal action adversely impacting an employee without ever notifying the employee. This was interpreted by the court as a subversion of the purposes of the Open Public Meetings Act as well as the longstanding reasoning under Rice. This purposeful attempt to avoid issuing the notice by refusing to engage in a deliberative process at all was not well-received. (Continued on page 18)

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The Age of Declines: Researcher's New Book Explores Why Millennials are Rejecting Public Office (cont'd)

Shames fears that a lack of qualified political candidates could lead to less meaningful, less competitive elections. She also worries that, especially at the state level, where approximately 40 percent of incumbents run unopposed, the principles of democracy are increasingly undermined.

She believes that, in building on her findings, the next step is to determine the primary reasons that young people do want to run for elected office and devise strategies that highlight these rewards in spite of the high costs.

"It is a different world from when John F. Kennedy said, 'Ask not what your country can do for you, but what you can do for you country,'" she says. "I think that if we can change people's perceptions of the rewards, then the costs wouldn't matter so much."

Internal Affairs Reports requested under OPRA

**By
Michael W. Herbert, Esq.**

I would like to bring to you attention an Appellate Division Opinion decided on March 13, 2017 in a case entitled: Paff v. Bergen County and Captain William Edgar, Docket No. A-1839-14T1. In that matter, the Plaintiff, John Paff, had requested a log of complaints against Corrections Officers who have worked in the County Jail since January 1, 2012. Specifically, Mr. Paff's government records request stated:

"I am interested in researching the frequency and nature of complaints brought, either internally or by an inmate or member of the public, against Corrections Officers who work for the Bergen County Jail. I believe that the type of complaints I am interested in might be referenced to as 'Internal Affairs' matters."

Mr. Paff further explained that he wanted "a log of such complaints" filed from January 1, 2012 to the present," and advised that if the County and Captain Edgar did not maintain a log of all the complaints, copies of documents for each individual complaint were to be provided.

The County and Captain Edgar released a redacted five page form entitled: "Internal Affairs Summary Report" identifying the number of complaints pending, the source of the complaint and the noted disposition (e.g., internal disciplinary action, exonerated, not sustained, unfounded, administratively closed). It also contained the type of complaint among categories identified as differential treatment, domestic violence, and other rule violations. The County and Captain Edgar also provided four pages containing closed cases from 2012 to 2014, which identified the date and category of each complaint (e.g., excessive force, assault, harassment, and others), but redacted identifying information regarding the complaining party and the employee alleged to have acted improperly.

The County Jail and the Sheriff's office follow the Attorney General's guidelines with regard to the release of Internal Affairs reports.

Mr. Paff filed suit claiming that the redacted information released by the County and Captain Edgar violated OPRA and the common law right of access. The Trial Court ruled in favor of Mr. Paff, finding no "statutorily recognized basis for confidentiality" and rejected the County's position that the Attorney General guidelines protected the redacted information from public disclosure. The Trial Judge found that the County and Captain Edgar impeded public access, and violated the terms of OPRA and the common law by refusing to afford Mr. Paff the access to the requested documents. The Court also ordered the County and Captain Edgar to pay almost \$6,500.00 in attorney's fees and costs.

Continued on page 20

THE QUILL

2017 MCANJ CONFERENCE—APRIL 25-27, 2017

THE PALACE AT SOMERSET PARK





Bernards Township Deputy Clerk Rhonda Pisano



Cliffside Park Borough Clerk Sercan Zoklu



Sharon Young, RMC/MMC, Municipal Clerk, Township of West Windsor; Government Records Council Kristina P. Hadinger, Esq., Vice President NJ Foundation for Open Government Frank F. Caruso, Comm. Specialist/Resource Mgr., Deputy General Counsel, NJ League of Municipalities; Walter M. Luers, Esq



Christopher Kyriacou, Director of Information Technology, Bernards Township



(L-R) Hightstown Municipal Clerk Debra Sopronyi and Ridgewood Village Clerk/Manager Heather Mailander listen to Matt Jessup, Esq. of McManimon and Scotland during an Education Session entitled, "So What Happens AFTER the Adoption of a Bond Ordinance and BEFORE You Purchase Your Capital Items?"



Michael Herbert, Esq, MCANJ Attorney, speaking on OPRA

THE QUILL



Neil Grant , Retired Fort Lee Borough Clerk (on right)

Cheryl Russomanno, Edison Clerk w/ Deputy; John Mitch; and Steve Weinstein, MCANJ CPA



Outgoing MCANJ President presents the Clerk of The Year Award to former MCANJ President John Mitch



John Mitch's family (Tommy, Dot, Kara, Laura, Councilwoman Meehan, and Kelly)

THE QUILL



2017 Recipients of the Registered Municipal Clerk (RMC) designation

Certified Municipal Clerks

Sherry Mason, Borough of Beach Haven; Joseph Kostecki, Borough of South Toms River ; and Debra Sopronyi, Hightstown Borough Clerk



THE QUILL



2017 IIMC CONFERENCE - MAY 21—24, 2017

MONTREAL, CANADA



IIMC Executive Director Chris Shalby , IIMC President Vinny Buttiglieri , and Region 2 Director Drew Pavlica



IIMC President Vincent Buttiglieri of Ocean Township New Jersey and wife Ray Jean entering the Annual Banquet



IIMC President Vincent Buttiglieri , Josephine Buttiglieri (mom), Maria & Joanne Buttiglieri (sisters) – at the All-Conference event

Five fun facts about Toms River, Adapted from a presentation by Township Clerk and Historian J. Mark Mutter,

1. **The Leni Lenape (or Original People) were the first residents of the area that became Toms River, occupying the land for thousands of years before Europeans arrived.**

Some of the Lenape's former foot paths are still used as roads today. Old Freehold Road, which connects Toms River and Freehold, was a former Leni Lenape foot path, which later became a stagecoach route, according to Mutter.

2. **Sometime between 1614 and 1685, Europeans settled in the area near the Toms River.** By about 1685, Thomas Luker, an Englishman, lived along a tributary of the Toms River, behind what is now the post office, on Water Street.

The Toms River was then known as Goose Creek, and Luker operated a small ferry across it. He married Princess Anne, daughter of the local Leni Lenape chief. The name, "Tom's River," first appears on a map in 1712, Mutter said



3. **On June 24, 1767, Dover Township was born when New Jersey's Royal Governor, William Franklin, signed the charter creating the township that had been approved by the Colonial Legislature.** Franklin was Ben Franklin's son, and remained a Loyalist – supporting Great Britain – in the Revolutionary War.

No one is sure where the name Dover originated, though some believe residents of the area may have come from Dover in Great Britain. Dover Township was carved from the then-massive Shrewsbury Township. The original Dover Township included present-day Brick, Berkeley, Lakewood, Jackson and Manchester. Dover Township became Toms River Township after voters approved a name-change ballot question in 2006.

4. **Toms River was the scene of a battle that happened after a truce had been declared in the Revolutionary War.**

During the war, Toms River was home to a major salt works – the Pennsylvania Salt Works – that supplied salt to preserve meat for the American army. It was also home to pirates and privateers who preyed on British shipping.

On March 24, 1782, the British landed troops near what's now the Thomas A. Mathis Bridge over Barnegat Bay and marched through the woods to Toms River, Mutter said. Eighty British soldiers and 40 Loyalists laid siege to Toms River's blockhouse, a small wood fort that was located at the top of the hill on what's now Robbins Street in the downtown. After fierce, hand-to-hand fighting, the British overran the block house and its commander, Capt. Joshua Huddy, fled into the woods. Nine patriots were killed in the attack, and Toms River was burned to the ground. Only two private homes were left standing.

Huddy was later captured and hanged near Sandy Hook, according to "Pirates of New Jersey: Plunder and High Adventure on the Garden State Coastline," by Mark Donnelly and Daniel Diehl.

5. **Early Toms River was a busy port and a stopping point for schooners, sloops and whaleboats.** An inlet, located at the site of present-day Ortle Beach, provided direct access to the ocean for the town.

A fierce nor'easter sealed off the inlet in 1812, in spite of the efforts of several local residents, who attempted to reopen it. Shut off from the sea, Toms River's population stagnated. The U.S. Census counted 1,882 residents in 1810.

By 1920, there were only 2,198. The population would not boom in Toms River until after the Garden State Parkway reached Toms River in 1954.



THE QUILL

IIMC PRESIDENT'S AWARD OF MERIT

ANDREW J. PAVLICA, MMC

MAY 24, 2017

When thinking about who I wanted to give this award to this year, the choice was quite easy.

This year's recipient of the President's Award of Merit is someone I've had the privilege of calling a friend for close to 18 years. He has served his County, State and IIMC throughout his career in various capacities.

He has served his municipality for 30 years and during that time, he has never missed a Council meeting.

In addition to the reasons mentioned above, he was responsible for providing our profession and IIMC with the biggest highlights of this past year.

The IIMC Mid-Year Board Meeting was held in Alexandria, Virginia – just across the Potomac from our nation's Capitol, Washington, D.C. Shortly after announcing the location, my good friend, and Region II Director Drew Pavlica, contacted me to discuss what could be done to make this meeting memorable for the Board, the IIMC Foundation Board members and, of course, IIMC's staff. I wasn't really sure but I knew that Drew was on it and he'd come up with something phenomenal. Since the meeting was being held on Veterans Day weekend, he wanted to explore the possibility of IIMC laying a wreath at the Tomb of the Unknown Soldier at Arlington National Cemetery. He contacted his local Congressman, William Pascrell, and was told that November 11th was not an option because the President of the United States, Barack Obama, lays a wreath at the tomb on that day. Perhaps, the congressman could get us approval to lay the wreath at the tomb on Monday, November 14th. Personally, I didn't really understand why we couldn't bump President Obama and lay the wreath on November 11th – after all – he was a lame duck president and I was still a sitting president but the 14th it was. Drew worked with Congressman Pascrell and sure enough, a few days later, IIMC was granted the great honor of placing a wreath at the Tomb of the Unknown Soldier at 9:15 a.m. on November 14, 2016. On that beautiful sunny Monday November morning, approximately 50 or so IIMC and Foundation Board members, staff, family and friends gathered at the tomb as I, along with my fellow Executive Committee members, proceeded down the marble steps towards the tomb. We were met by uniformed officers and we presented IIMC's red, white and blue wreath with the gold ribbon inscribed with International Institute of Municipal Clerks on it and proceeded to place it at the tomb while they played a rendition of TAPS. I still get chills thinking about what an honor it was for me, my fellow EC members and especially our beloved IIMC, in this our 71st year on existence. I want to share with you today that the video of this ceremony was placed on the IIMC website and had 112,000 views – you heard correct, 112,000 views. I want to extend a special IIMC thank you to United States Congressman William Pascrell and Region II Director Drew Pavlica for facilitating this tremendous honor.



Vincent Buttiglieri presenting Drew with the 2017 IIMC Presidents Award of Merit at the Annual Business Meeting on May 24th

NOTICES FOR PUBLIC METINGS (RICE)

(Continued from page 9)

Municipalities must be vigilant in their duties with respect to providing notice to employees pursuant to N.J.S.A. 10:4-12b(8) and Rice. The courts have found, time and again, that notice must allow the prospective or present employee of officer an opportunity to decide whether they want to be present for a Board's discussion and determination, in either open or closed session. Each municipality should err on the side of caution and interpret the law liberally in favor of the employee's rights and interests by sending notice to all appropriate parties without hesitation.

A Day in the Life of a Municipal Clerk
Strange Laws
(continued from page 1)

By Michele Lynn Seigfried



No rags, bones, scraps or refuse matter liable to decay shall be brought into or be stored or kept within the limits of the Township of Nutley except on permit of the Board of Commissioners, which permit shall be revocable by said Board at any and all times. (*Nutley Township Code § 555-25*). *Time to toss out those rags and buy a Swiffer, I guess!*

Smokers in Blairstown be forewarned! You'd better only smoke on your own property! Blairstown Code § 171-7 prohibits ashes from being deposited on any of the sidewalks or in or on any streets or other public place in the Township.

Beware the backyard barbeque in Robbinsville. You may get burned! Bands are banned during the hours of 1:30 and 4:30 p.m. Robbinsville Code § 166-7 only allows the use of noncommercial sound-amplifying equipment as follows:

Operation is permitted for four hours each day, except on Sundays and legal holidays when no operation shall be authorized. The permitted four hours of operation shall be between the hours of 11:30 a.m. and 1:30 p.m. and between the hours of 4:30 p.m. and 6:30 p.m. The sound-amplifying equipment shall not be operated within 100 yards of hospitals, schools, churches, retirement communities or municipal buildings.

Watch what you wear on Halloween in Teaneck! A boy dressed like a bride might land him behind bars! A 1951 law makes it a crime to cross dress:

Teaneck Code §26-17 Indecent exposure and improper dress.

No person shall appear in any street or public place in a state of nudity, or in a dress not belonging to his sex, or in any indecent or lewd dress.

If you live in Blairstown, you'd better think twice about planting any trees that grow bigger than a sapling. After all, trees certainly know how to suck the air right out of the sky...and the shade they provide? Not in my backyard!

Blairstown Code §171-2 Shade trees.

Such trees shall be planted so as not to obscure light and air

And Hopewell Township regulates the conjugal visits of Roosters. I guess it's good they didn't do the same for humans!

(Hopewell Township Code §5-9) Roosters may visit the property for the purpose of fertilization so long as there are no more than ten days of visitation per parcel in any twelve month period, and no more than five days consecutively, and provided the roosters are certified as healthy by the New Jersey Department of Agriculture.

I'm certain there were good reasons when these laws were enacted, but not knowing the history, and sometimes if read out of context, they just seem unusual! What kinds of strange laws do you have in your towns?

This column is meant as lighthearted humor for those who work as municipal clerks. Our hope is that it will strengthen our relationships by fostering an emotional connection to similar situations we have all experienced.. Laughter provides a strong defense against stress, disagreements and disappointments. It helps us to see situations in a more realistic, less threatening light.

PEOPLE PAGE

Welcome to the People Page! My name is Pamela Borek and I am the Clerk in Hillsborough Township, Somerset County.

In each issue of the Quill, I look forward to sharing your celebratory news, be it about a promotion, additional certification or your retirement. I will respectfully offer our condolences in your time of sorrow from all of your friends within the Clerk community.

Please do not hesitate to contact me with your news at pborek@hillsborough-nj.org and don't forget to send along pictures.

Look forward to hearing from you all soon.

All the best,
Pam



CONGRATULATIONS



Bergen County:

Marilyn Bojanowski, pictured left, was appointed as Fair Lawn's new municipal clerk. She has been the deputy to Joanne Kwasniewski- who retired after 23 years. "I am so excited to become the municipal clerk," said Bojanowski, a grandmother of 11. "I'm proud that I'm going to be the clerk, I'm very lucky." Bojanowski officially started as the clerk of Fair Lawn on April 1st.

Warren County:

Phillipsburg Clerk, Victoria Kleiner (left) met her biological sister, Karen Strum (right) for the first time in February. Kleiner, 55, was adopted at birth and had a good and happy childhood. However, changes to New Jersey record laws allowed her to obtain her original birth certificate this year and along with DNA testing was able to find her biological relatives. When she met her sister for the first time in Chambersburg, Pa they discovered they shared many traits and mannerisms. "For me to find this, it's like a great weight has been lifted," Stated Kleiner.



Morris County

Leena Abaza, picture below was appointed the township clerk to Montville Township. She will be starting as clerk on August 1st after the retirement of former clerk Trudy Atkinson on the 31st. Abaza has been a member of the government for 17 years by serving as a special police officer class II as well as a deputy clerk/assistant administrator in the Borough of Haledon. Abaza commented, "I am honored to have been selected to assume the township clerk position for Montville Township."



RETIREMENTS

Bergen County:

Joanne Kwasniewski retired as Fair Lawn's municipal clerk after 23 of holding the position. She has a BS degree from Fairleigh Dickenson University in Public Administration. In 2005 Joanne earned the prestigious designation of Master Municipal Clerk. She served as an officer in the Municipal Clerks' Association of New Jersey starting in 2007 as well as being the chair of the Education Committee and the President of MCANJ in 2011. Joanne previously won the 'Clerk of the Year' in 2015- 2016 year. Joanne was Secretary to the Mayor and Council

Morris County:

Trudy Atkinson, current township clerk of Montville Township will retire July 31, 2017. Previously Former Mayor Tim Braden stated that former clerk Trudy Atkinson is "the glue that holds this Township Committee together. Trudy is one of the nicest people I've ever met."

Somerset County:

On April 1, 2017 Patricia Zamorski retired as both the township clerk and treasurer of Manville. Patricia started working for the Township of Manville in 1989 as the administrative assistant. On March 27, the Mayor read a proclamation in her honor. Patricia will be remembered for her kindness, empathy, dedication and loyalty to her fellow co-workers and residents .



THE QUILL

BEST WISHES IN YOUR NEW POSITIONS!

CONGRATULATIONS

Heidi R. Brunt, MMC - Township Clerk - Township of Middletown, NJ has earned the prestigious Master Municipal Clerk (MMC) designation from the International Institute of Municipal Clerks (IIMC). She was also elected to a three-year term as Region II Director for the IIMC effective May 24, 2017.

CONDOLENCES

The Municipal Clerks' Association of New Jersey offers the following condolences:

Ocean County

Condolences to Francis E. Smith, former Brick Town Municipal Clerk, passed away at age 83 on April 18, 2017. He served as the Deputy O.C Surrogate in the 80's and from there went on to seek public office in Ocean County for both the Surrogate and the County Clerk's office. He was a member of the Ocean County Municipal Clerks Association. He is survived by his wife of 56 years, Lorraine, his daughters Kimberly and Kathleen and their husbands, his five grandchildren, as well as his brother Edward.

Monmouth County:

Margaret K. Heany, 76, of Spring Lake, New Jersey, passed away May 1, 2017. Known as "Honey" to her friends and family, Margaret graduated from Caldwell University with a B.A in History. She then worked as a public school teacher before starting her career in community service. Margaret received many awards while appointed as the Registered Municipal Clerk of Bay Head, New Jersey, a position that she had held for 20 years. Margaret was the member of the Parish Council, the Social Concerns Committee, participated in Habitat for Humanity and served as a Eucharistic Minister. She is survived by her husband of 54 years, Paul, her five children, her eight grandchildren, her three brothers as well as her other family members.

Internal Affairs Reports requested under OPRA (continued from page 10)

Fortunately, the Appellate Division reversed the Trial Court. The Appellate Division recognized the exceptions allowed to public entities under N.J.S.A. 47:1A-9(a). The Appellate Division concluded that "public access was not denied; rather it was limited as recognized by N.J.S.A. 47:1A-9(a)." In a backhanded slap at the Trial Judge, the Appellate Division wrote:

"Unlike the trial judge, we are convinced the basis of the Attorney General's confidentiality requirements stated in the Guidelines is tethered to safety and security. Maintenance of strict discipline is important in military-like settings such as prisons and correctional facilities...In this regard, there are many reasons for maintaining confidentiality of the complainant and officer involved in an internal affairs investigation..."

The Court went on to identify a number of those reasons. The Court concluded that the redaction of the names of the complainants, and the employees involved, as well as some of the other confidential material contained in the Internal Affairs reports, was appropriate. However, the County and Captain Edgar had failed to include an explanation of the nature of the redacted information. The Appellate Division concluded that the County and Captain Edgar had an affirmative obligation under N.J.S.A. 47:1A-5(g) to indicate the specific basis for the redactions.

Accordingly, should a request such as that submitted by Mr. Paff to Bergen County ever come in to any municipality, you can be guided by the Appellate Division's decision in this case (although it is unpublished and therefore not "precedential") so long as you provide the necessary "privilege log", explaining the nature of the redactions (i.e., that the complainants' name was redacted, the employees' name was redacted, or other confidential information, without actually revealing the name of the complainant, name of the employee, or the specific confidentiality).

As always, if we can be of assistance to you as new OPRA Requests come in, and answer questions for which you may seek assistance, please do not hesitate to contact us.

Very truly yours,
Michael W. Herbert

WHEN AN OPRA REQUESTOR STEPS OVER THE LINE

(Continued from page 5)

It is probably common sense, but I also wanted to make brief comment regarding those hopefully exceedingly rare times when an OPRA requestor or citizen is not merely a nuisance but is acting in an alarming or harassing manner. The Jones decision reminds us that there are options available for such exigent circumstances. Similar to any other dangerous or potentially dangerous situation, if a requestor steps over the line towards you or your staff then you may pursue appropriate criminal or civil claims to ensure safety. OPRA requestors or citizens of any type will rarely be barred from a public building given Constitutional rights, but public safety may require otherwise. If you or your staff are or believe you are in imminent danger then OPRA is no longer the applicable law and such behavior may warrant striking the “panic button.”

Conclusion

Additional hope for records custodians and government entities also comes by way of recently passed Assembly Bill A-4532. Voted 73-0 by the Assembly on March 23, 2017, this bill not only expands privacy rights of individuals but also seeks to limit attorneys’ fees when “the court or agency head finds that the decision to deny access was reasonable and made in good faith after due diligence” regardless of the outcome of the lawsuit or GRC complaint. Although government entities and records custodians work diligently to timely provide all appropriate records, if passed this case will reflect the difficult realities of interpreting such a fact-sensitive law (often on the fly). Although the Jones case demonstrates the limited tools available to confront abusive OPRA practice, recent legislation and appellate decisions appear to increasingly be utilizing common sense measures and creating more bright-line rules to address the increasing volume of OPRA and OPRA litigation.

Considering the (admittedly limited) tools available to records custodians (as noted herein) and the fact-sensitive nature of confronting abusive OPRA practices, discussions with elected/appointed officials and/or legal counsel will help provide the framework of a plan for addressing those unfortunate real-life situations when OPRA abuse or harassment arises.

Carl A. Taylor III is a partner in Somerville, New Jersey based Cooper, Cottell, & Taylor, LLC and serves as Deputy County Counsel for Somerset County. Carl’s practice emphasizes the representation of government entities, litigation, and family law and Carl successfully defended numerous OPRA/public records lawsuits at the trial court and appellate court level. The views expressed herein are solely Carl’s own.

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OUTGOING PRESIDENT'S MESSAGE (CONT'D)

It's hard to believe that I'm at the end of term as your president. The year has flown by. It amazes me how many of you are passionate about being Clerks—who care about the vitality and well being of our profession and are willing to help. Thank you to those who stepped-up this year to serve on a committee.

Last year when I was sworn into office I set forth some goals I wanted to accomplish during my tenure as president. With the help and support of the Executive Board, I'm happy to say that we've accomplished these goals.

The first was Records Management which I believe today in large part has evolved into management information systems. Our Desk Reference Guide (also known as the Municipal Clerks' Manual) was in desperate need of update. As you know this guide is not only used as a reference guide for municipal clerks around the state, it is also used as a study guide for individuals preparing for their RMC exam. The Executive Board authorized a contract with Steve Goodfellow of Access Systems to help with this initiative. Steve is a well respected, certified records manager, whom many of you worked with during the Paris grant years. A small committee consisting of myself, Deanne Bennett the Municipal Clerk of Haddonfield Borough and the Chair of our Manual Review Committee, Laura Flagg of Rutgers, Sharon Young the Municipal Clerk of West Windsor Township and the Chair of our Records Committee, and Kim-Marie White the Municipal Clerk of Eastampton Township and the Chair of the Legislative Committee and also one of our instructors, worked together to bring the guide into line with the role of the 21st Century Records Manager. Rutgers is now working on the curriculum and with the DCA to update the exam. The updated chapter will be included in the next release of the guide.

I worked hard to improve our lines of communication with DORES this year. By doing so, we were able to have the State Records Committee approve an update to the Municipal Clerk's Record Retention Schedule. This effort also resulted in DORES setting up a small working group chaired by DORES Director Fruscione, consisting of Records Managers from County and Municipal Agencies, Archivists, the president of the GMIS, and me as president of MCANJ, to develop a policy concerning the proper retention and disposal of email. Our goal is to present this recommendation to the State Records Committee prior to the end of the year for their approval. The make-up of this small group has all the right disciplines working together on a critical project and I'm excited about the prospect of developing something workable.

Technology was another priority. Through a partnership with the NJ Division of Elections and Everyone Counts we had our first MCANJ webinar in October. This year, we also automated exhibitor and sponsorships solicitation for our conference. The process was very successful; in fact we had to turn some exhibitors away because we sold out of space so quickly. I would like to thank the Website & Technology Committee, Chaired by Daina Dale the Municipal Clerk of Harvey Cedars, for their efforts in updating our website to accommodate these new features.

I hope you are enjoying the new Quill column entitled "A Day in the Life of a Municipal Clerk" authored by Michele Seigfried the Robinsville Municipal Clerk. I don't know about you, but I'm known to be heard laughing out loud when I read her lighthearted column. Michele has a unique way of poking fun on those unique things we all experience as municipal clerks. I also hope you have enjoyed the featured writers we've had for each edition. These articles help us broaden our knowledge of local government. Pam Borek the Municipal Clerk of Hillsborough Township is completing her first year as the People Page editor and has done a wonderful job. Thank you to the entire Quill Committee and especially Joseph Kostecki the Municipal Clerk of South Toms River Borough and Quill editor for your hard work and dedication in putting together this publication.

OPRA and OPMA continue to be moving targets. We were invited to meet with Senator Weinberg's staff and members of the press association in December to discuss proposed changes to OPRA and OPMA, but there has been no movement on her proposed bills. At the NJLM Conference this year a resolution was adopted calling for a study on the cost and application of OPRA. This is the fifth resolution since 2008 that the NJLM has adopted calling for OPRA reform.

As I told you last year, when I was a child and someone would ask me what I wanted to be when I grew up, I never said a Municipal Clerk. Heck, I didn't even know what a municipal clerk was! Yet, I can tell you that being a Municipal Clerk is exactly what I always wanted to be, but never new why.

To my colleagues on the Executive Board—Keith, Dina, Kevin, Diane, Eileen, Joel our Executive Director, and Steve and Mike our Attorneys—thank you for always conducting yourselves as professionals and having the best interest of our membership in mind with every action you take. To Keith, who is ending his term on the Executive Board, thank you for your service, and to Kim-Marie White our incoming secretary, I wish you well and look forward to working with you.

And to you the membership, thank you for allowing me the opportunity to serve as your president. Getting to know and work with so many of you, and represent MCANJ was a privilege and a highlighting of my career in government.

ANNUAL EDUCATION CONFERENCE 3-YEAR HISTORY - MEMBERSHIP FEEDBACK

	2017	2016	2015
Location	The Palace, Somerset, NJ	The Tropicana, Atlantic City, NJ	Trump Taj, Atlantic City, NJ
General Feedback (Conference Facility)	4.41	3.94	4.30
General Feedback (Food)	4.40	3.70	4.00
General Feedback (Accommodations)	4.02	3.82	4.00
General Feedback (Entertainment)	3.97	3.91	4.00
Education Sessions Course Content/Instructors	4.24	4.03	4.30

*Scoring Based on 1 to 5, with 5 being the highest



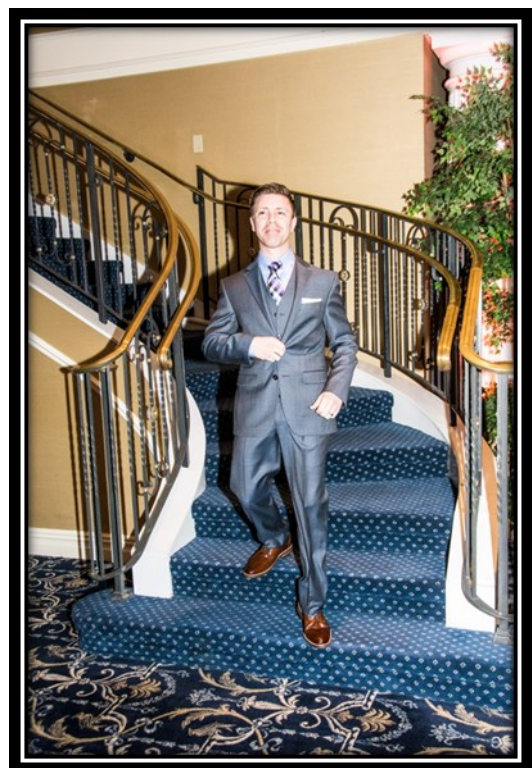
HIGHLIGHTS FROM THE
MCANJ EDUCATION CONFERENCE
WINNERS OF FREE STYLE UPGRADE & MAKEOVERS



Winners of the free style upgrade and makeover - Joseph KostECKi, Municipal Clerk, South Toms River and Linda Leidner, Municipal Clerk, Blairstown Township, with Keynote Speaker Carol Ridolphi and Conference Co-Chair John Mitch, Municipal Clerk, Woodbridge. (left to right)



Linda Leidner, Municipal Clerk, Blairstown Township



Joseph KostECKi, Municipal Clerk, South Toms River



President Denise Szabo Presenting John Mitch with the Clerk of the Year Award

MUNICIPAL CLERK OF THE YEAR JOHN MITCH

Congratulations to John Mitch for being named the Municipal Clerk of the Year. John Mitch is a long time admired, well respected, and distinguished municipal clerk. He's considered a "clerk's clerk." John not only understands the importance of his role as clerk, he loves what he does and it shows. He keeps current on the ever changing legislation and processes and always promotes our profession in a positive way. He goes to bat for MCANJ over and over again, whether it's defending

our position on legislation to the press or trying to convince a State Agency that the way they are doing things is causing undue hardship on NJ Municipal Clerks. His mild mannered style makes him a consensus builder and he is very often successful in reaching a good outcome. He is efficient and dependable and always manages to get the job done.

Contributions to MCANJ:

- Spearheaded the move to change the Annual Meeting previously held during the NJLM Convention in November to the Spring MCANJ Conference, doubling members' attendance and participation in our elections while reducing costs to the association
- Founder of the MCANJ Spotlight Award - 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.
- Speaker and presenter and various MCANJ Classes as well as NJLM events
- Member of the Executive Board 2010-2015 (18 mos. as president)
- Middlesex County Advisory Board, serving in various capacities
- Constitution and By-Laws Committee, serving in various capacities
- Rutgers Appointment to the Education Committee, serving in various capacities
- Records Committee, serving in various capacities
- Finance Committee, serving in various capacities
- Information Technology, serving in various capacities
- Conference Committee, serving in various capacities

Civic Contributions:

- Honoree of the Prodigal Foundation who reaches out to children with cancer to help enhance their quality of life
- Writes a monthly column for the newspapers in an effort to educate the public about items most of us take for granted that many residents may not understand
- Member of the Avenel Fire Company; where he served 22 years as a volunteer now an inactive member. During his tenure he served in a number of capacities including Fire Company President and Fire Chief

Born in Newark (NJ) and raised in Woodbridge Township where he continues to live with his wife Laura and three children Kelly, Thomas and Kara. He has 28 years in local government; having served in various elected and appointed positions including Fire Commissioner, Councilman, Deputy Municipal Clerk, Emergency Management Coordinator, Acting Business Administrator, and Municipal Clerk.

If you've ever visited John Mitch in his Woodbridge Municipal Building, I'm sure you'll agree he is one of the most organized clerks you'll ever know, with project folders in perfect formation, lined up like soldiers on his desk, ready to be called into action at a moment's notice!



L. MANUEL HIRSHBLOND
DISTINGUISHED SERVICE
AWARD RECIPIENT
ANDREW PAVLICA

Congratulations to Drew Pavlica the Municipal Clerk of City of Garfield for being awarded the L. Manuel Hirshblond Distinguished Service Award. Named after retired Municipal Clerk “Manny” as most of us lovingly refer to him, it is award given to someone who goes above and beyond to serve our organization. Drew is that person. He would not even look at a computer a few years ago and now he serves as a member of Website & Technology Committee and has taken it upon himself to upkeep the MCANJ Facebook Page, updating it at least three times a day with articles and announcements of interest to our members. Those of us on the Executive Board hate when Drew is away for a few days because he assigns one of us to take over and we have to live up to his high standards of keeping it fresh. Aside from his commitment to our Facebook page he has also served on the Executive Board and is the immediate-past Region II IIMC Director.

FRIEND OF THE MUNICIPAL CLERK’S
AWARD RECIPIENT LAURA FLAGG

This year’s recipient of the “Friend of the Municipal Clerk’s Award” is in individual who has helped rebuild the relationship between MCANJ and Rutgers University. Appointed in 2014, Laura Flagg has been a pleasure to work with on matters of importance to Municipal Clerks. She has addressed many issues including the low passing rate of RMCs, working with our instructors to be sure the test questions are clear, and that students are well versed in course material. She also was a big help this year with the re-write of the Records section of our Desk Reference developing new course curriculum for students and working on the new exam with DCA.



President Denise Szabo Presenting Laura Flagg with the Friend of the Municipal Clerk’s Award



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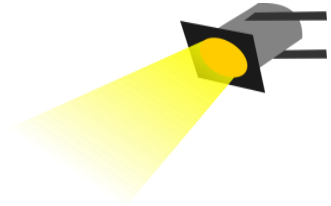
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**MCANJ MEMBER
SPOTLIGHT AWARD**



Congratulations to Tanya Goodwin, Municipal Clerk of Swedesboro Borough for being a Spotlight Award recipient.

Tanya Goodwin has implemented a Summer program to attract future municipal officials. As she is watching people retire and witnessing licensed professionals holding multiple positions within their own municipalities, to fill the gaps she engages the younger generation to get involved and learn about local government. She reached out to students to emphasize the volunteer aspect of local government, with the possibility of long term careers in government. It's a 2 week program offered to high school students who must attend for the full 2 week course. The participants learn about their town government services, and how to interact with County and State government. Tanya teaches the basics of municipal government using the Municipal Clerk's Desk Reference as a guide, followed by an open discussion. The students visit each department, get a tour and learn what their responsibilities are. They then visit the library and assist with a project. The students attend a council meeting, introduce themselves and outline why they participated in this program. This provides them with public speaking practice. The participants must complete the program by attending all classes, be punctual, dress professionally and attend council meetings. At the conclusion of the program, participants submit a paper critiquing the experience, identifying what they liked and disliked, and give recommendations. They are then given a \$180.00 stipend.

As you can see, she's resourceful in using our Municipal Clerk's Desk Reference to educate and promote the younger generation to learn, volunteer and get involved in their community. This could lead to a career path for the individual. You can also read an article in the March NJLM magazine titled "Engaging the Young Generation."

Do you know a MCANJ member municipal, county or freeholder clerk, or deputy who promotes civic involvement by getting involved in activities and events outside of their normal responsibilities as a clerk? 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 individuals do outside of their job that promotes you being a clerk. [CLICK HERE FOR A NOMINATION FORM](#), or go to www.njclerks.org. Awards will be made quarterly. Do something nice for a deserving clerk and nominate them for this award.

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MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.
2017- 2018 COMMITTEE ROSTER

CONSTITUTION & BY-LAWS *denotes Chair or Co-Chair				
*Eugene	Padalino	Pennsauken	865-665-1000	Gpadalino@twp.penns
Kathy	Hoffman	Southampton	609-859-2736	Khoff-
Patricia	Frontino	Glassboro	856-881-9230	Pfronti-
EDUCATION & PROFESSIONAL DEVELOPMENT				
*Sharon	Young	West Windsor	609-799-2400	Sy-
Jennica	Bileci	Mantua	856-468-1500	Jbileci@mantuatownsh
Patricia	Frontino	Glassboro	856-881-9230	Pfronti-
Elaine	Jasko	Perth Amboy City	732-826-0290	Ejas-
Vinny	Buttiglieri	Ocean Township	732-531-5000	Vbuttiglie-
Linda	Wanat	Monclair	973-509-4900	Lwanat@montclairnjus
Laura	Borchers	Ho Ho Kus	201-652-4400	Borchersl@ho-ho-
Michele	Seigfried	Robbinsville	609-918-0002	MicheleS@robbinsville
EDUCATION CONFERENCE COMMITTEE				
*Patricia	Frontino	Glassboro	856-881-9230	Pfronti-
*Nancy	Saffos	Cherry Hill	856-488-7800	Nsaffos@chtownship.c
Eugene	Padalino	Pennsauken	856-665-1000	Gpadalino@twp.penns
Janet	Pizzi	Woodbury Heights	856-848-2832	Janetpz@bwhnj.com
W. Scott	Jett	North Wildwood	609-522-2030	Sjett@northwildwood.
Luis	Pastoriza	City of Camden	856-757-7000	Clerk@ci.camden.nj.ju
Tina	Helder	Westville	856-456-0030	Thelder@westville-
Deanna	Bennett	Haddonfield	856-429-4700	Dben-
Kevin	Galland	Woodland Park	973-345-8100	Kgalland@wpnj.us
Diane	Pflugfelder	Liberty Twp	908-637-4579	Clerk@libertytownship
Eileen	Gore	Hamilton Township	609-586-0311	Egore@hamiltonnj.co
Kim-Marie	White	Eastampton	609-267-5723	Kwhite@eastampton.c
Denise	Szabo	Bernards Twp	908-766-2510	Dszabo@bernards.org
Joel	Popkin	Executive Director		Joelpop-
Dina	Zawadski	Deptford Township	856-686-2203	Dzawadski@deptford-
ELECTIONS				
*Linda	Wanat	Montclair	973-509-4900	Lwanat@montclairnjus
Rayna	Harris	Rahway City	732-827-2000	Rhar-
Michele	Hack	Riverton	856-829-0120	Mhack@riverton-
Sherry	Mason	Beach Haven	609-492-0111	Borough-
Denise	Brouse	Merchantville	856-662-2474	Dbrouse@merchantvill
Nancy	Power	Gloucester Township	856-228-4000	Nanpow-

FUNDRAISING & RAFFLES				
*Patty	Hunt	Morrestown	856-235-0912	Phunt@morrestown.nj.us
Laura	Borchers	Ho-Ho Kus	201-652-4400	Borchersl@ho-ho-kusboro.clom
Yancy	Wazirmas	Englewood	<u>201-510-8213</u>	ywazirmas@cityofenglewood.org
Doreen	Cali			
HISTORICAL				
*Andrew	Pavlica	Garfield City	973-340-2001	Apavilica@garfieldnj.org
Patricia	Frontino	Glassboro	856-881-9230	Pfrontino@glassboro.org
W. Scott	Jett	North Wildwood	609-522-2030	Sjett@northwildwood.com
Joel	Popkin	Executive Director		Joelpopkin@optionline.net
Dina	Zawadski	Deptford Township	856-686-2203	Dzawadski@deptford-nj.org
INFORMATION TECHNOLOGY & WEBPAGE				
Daina	Dale	Harvey Cedars	609-361-6000	Clerk@harveycedars.org
Andrew	Pavlica	Garfield City	973-340-2001	Apavilica@garfieldnj.org
Joe	Kostecki	South Toms River	732-341-0403	Joseph.kostecki@boroughofsouthtomsriver.com
LEGISLATIVE				
Vinny	Buttiglieri	Ocean Twp	732-531-5000	Vbuttiglieri@oceantwp.org
Lori	Buckelew			Lbuckelew@njslom.com
Susan	Jackson	Metuchen	732-632-8540	Sjackson@metuchen.com
LEGAL DEFENSE FUND				
Harold	Weiner	Irvington	973-399-8111	Hwiener@irvington-nj.org
Nancy	Saffos	Cherry Hill	856-488-7800	Nsaaffos@chtownship.com
Patricia	Frontino	Glassboro	856-881-9230	Pfrontino@glassboro.org
Luis	Pastoriza	City of Camden	856-757-7000	Clerk@ci.camden.nj.us
Gay	Huber	West Windsor Twp	609-799-2400	Ghuber@westwindsortwp.com
MANUAL REVIEW				
Deanna	Bennett	Haddonfield	856-429-4700	Dbennett@haddonfield-nj.gov
Jennica	Bileci	Mantua	856-468-1500	Jbileci@mantuatownship.com
Nennette	Perry	East Brunswick	732-390-6810	Nennette@perry@eastbrunswick.org
Joel	Popkin	Executive Director		Joelpopkin@optonline.net
MEMBERSHIP & PEER ALLIANCE				
Heather	Mailander	Ridgewood	201-670-5500	Hmailander@ridgewoodnj.net
Vinny	Buttiglieri	Ocean	732-531-5000	Vbuttiglieri@oceantwp.org
Denise	Cafone	Fairfield	973-882-2700	Dcafone@fairfieldnj.org
Patricia	Clayton	Springfield Twp	609-723-2462	Clerk@springfieldtownshipnj.org
Public Relations/ MCANJ Booth				
Joe	Kostecki	South Toms River	732-349--0403	Joseph.kostecli@boroughofsouthtomsriver.com
Kevin	Galland	Woodland Park	973-345-8100	Kgalland@wpnj.us
Andrew	Pavlica	Garfield City	973-340-2001	Apavilica@garfieldnj.org
Joel	Popkin	Executive Director		Joelpopkin@optonline.net
QUILL				
Patricia	Frontino	Glassboro	856-881-9230	Pfrontino@glassboro.org
Pam	Borek	Hillsborough	908-369-4313	Pborek@hillsborough-nj.org
Michele	Seigfried	Robbinsville	609-918-0002	MicheleS@robbinsville-twp.org
Tina	Helder	Westville	856-456-0030	Thelder@westville-nj.org
Joel	Popkin	Executive Director	732-390-6810	Joelpopkin@optonline.net

RECORDS				
Sharon	Young	West Windsor	609-799-2400	Syong@westwindsortwp.com
Kathy	VanScoy	Paulsboro	856-423-1500	Kvanscoy@paulsboronj.org
Tanya	Goodwin	Swedesboro	856-467-0202	Tgoodwin@swedesboro-nj.org
RESOLUTIONS				
Sandra	Bohinski	Helmetta	732-521-4946	S.bohinski@helmettaboro.com
Pam	Borek	Hillsborough	908-369-4313	Pborek@hillsborough-nj.org
SCHOLARSHIPS				
Rayna	Harris	Rahway	732-827-2000	Rharris@cityofrahway.com
Jane	Dibella	Woolwich	856-467-2666	Jdebella@woolwichtwp.org
Debie	Pine	Elk	856-881-6525	Dpine@elktownshipnj.gov
Johanna	Casey	Margate	609-822-2605	Casey_johanna2margate-nj.com
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MEMBERSHIP SUMMARY as of June 07, 2017

County	Total # of Municipalities	Total # of Municipalities Paid	% Paid
Atlantic	23	18	78%
Bergen	70	60	86%
Burlington	40	37	93%
Camden	37	28	76%
Cape May	16	15	94%
Cumberland	14	8	57%
Essex	22	18	82%
Gloucester	24	22	92%
Hudson	12	7	58%
Hunterdon	26	24	92%
Mercer	13	11	85%
Middlesex	25	23	92%
Monmouth	53	47	89%
Morris	39	35	90%
Ocean	33	27	82%
Passaic	16	14	88%
Salem	15	10	67%
Somerset	21	19	90%
Sussex	24	17	71%
Union	21	18	86%
Warren	22	20	91%

MEMBERSHIP MESSAGE



Any person holding an active membership with MCANJ, whose address or jurisdiction changes during the membership year, may carry the membership with him/her to the end of the membership year upon written notice to the MCANJ Treasurer.

The Treasurer will update the information in the membership database to reflect the change in address, municipality or county; however, the membership type will remain the same until the end of that membership year.

CATEGORY	TOTAL
Full - Municipal Clerk	48
Affiliate - All Others	29
Honorary Membership (Retired)	51
Full - Clerk of Freeholder Board	2
Associate - Assistant Municipal Clerk	26
Associate - Deputy Municipal Clerk	192
Full - Acting Municipal Clerk	17
Associate - Deputy County Clerk	4
Full - County Clerk	1
GRAND TOTAL	802

**MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY, INC.
EXECUTIVE BOARD
2017-2018**



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Incoming President
Deptford Twp.



Kevin Galland
1st Vice President
Woodland Park



Diane Pflugfelder
2nd Vice President
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Eileen Gore
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Kim-Marie White
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Eastampton Twp.



Denise Szabo
Outgoing Past President
Bernards Twp.



Joel Popkin
Executive Director



Kevin Galland, Dina Zawadski, Eileen Gore
Kim-Marie White, Diane Pflugfelder and Denise Szabo

DEADLINES FOR NEWSLETTER ITEMS

The deadline for People Page submissions for the September 2017 issue is September 6, 2017. Please send People Page news to:

Pam Borek, Municipal Clerk, Hillsborough Twp.,
379 South Branch Road. Hillsborough, NJ 08844
or via Email at pborek@hillsborough-nj.org

The General News Articles deadline is September 13, 2017, and may be sent to:

Joseph Kostecki, Borough of South Toms River, 19 Double Trouble Rd, South Toms River, NJ 08757-5105 or via email to:
joseph.kostecki@boroughofsouthtomsriver.com

Questions or comments regarding this or any issue of the *Quill* may be directed to the Editor, Joseph Kostecki,
by calling (732) 349-0403 or using the contact information shown above.

Articles for submission should be prepared in Microsoft Word, using Calibri 10-point font.

the *Quill*
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