

MUNICIPAL CLERKS' ASSOCIATION OF NEW JERSEY

EXECUTIVE BOARD MEETING MINUTES

FRIDAY, MAY 2, 2014

WOODBRIIDGE TOWNSHIP MUNICIPAL BUILDING

WOODBRIIDGE, NJ

1. CALL TO ORDER

President John Mitch called the meeting to order at 10:00 AM.

2. FLAG SALUTE AND MOMENT OF SILENCE

President John Mitch asked for a moment of silence, a prayer to protect all of the men and women serving in the armed forces.

3. ROLL CALL

The following members of the Executive Board were present for the meeting:

President, John Mitch

1st Vice President, Keith Kazmark

2nd Vice President, Denise Szabo

Treasurer, Dina Zawadski (Conference Call)

Secretary, Kevin Galland

Immediate Past President, Nancy Saffos

Executive Director, Joel Popkin

4. APPROVAL OF MINUTES

Upon motion made by 1st Vice President, Kazmark, seconded by Immediate Past President Saffos, and unanimously passed on voice vote, the minutes of the March 14, 2014 Executive Board Meeting were approved.

5. TREASURER'S REPORT – DINA ZAWADSKI

- a. Treasurer Zawadski reported the Account Balances as April 28, 2014 are as follows:

Operating Account	\$119,374.87
Scholarship Account	\$11,739.50
Raffle Account	\$2,826.00

- b. Treasurer Zawadski presented the General Ledger (current as of April 30, 2014) and the Profit & Loss Budget vs. Actual (current through May 1, 2014) documents to the Board.

It was confirmed that at the appropriate time, funds in the Raffle Account need to be transferred to the Scholarship Account for disbursement. Further, President Mitch stated that he would contact the Raffle Chairperson to confirm that all required paperwork (Report of Operations) for previous raffles have been filed with the State.

Upon motion made by 1st Vice President, Kazmark and seconded by Immediate Past President Saffos, and unanimously passed on voice vote, the reports and account balances were accepted.

6. REPORT OF OFFICERS

a. SECRETARY – KEVIN GALLAND

i. Resolution approving switch to Fiscal Year:

**MUNICIPAL CLERKS' ASSOCIATION
OF NEW JERSEY
MEMORIALIZING RESOLUTION**

WHEREAS, the Municipal Clerks' Association of New Jersey (Association) has historically conducted and reported its operations on a calendar year basis; and

WHEREAS, the Association's business has been conducted at its Annual Business Meeting held each November in conjunction with the League of Municipalities Annual Convention; and

WHEREAS, it has been determined that attendance at the Annual Business Meeting, at which the Association's Officers are elected in addition to other matters, could be enhanced if said meeting were to be held in conjunction with the Association's Annual Education Conference, where there is greater participation by the Association's members; and

WHEREAS, in order to effectuate this change, the Association's Constitution and By-Laws would need to be revised; and

WHEREAS, the Constitution and By-Laws Standing Committee has recommended to change from a calendar year basis to a fiscal year basis effective July 1, 2014; and

WHEREAS, the Association's President, in compliance with the Association's By-Laws (Article 1 – Section 2) called for, and appropriately noticed, a Special Meeting to be held on March 27, 2014 at 8AM during the Association's Advisory Board Meeting; and

WHEREAS, at that Special Meeting, the subject matter was thoroughly discussed and vetted, and the Association's members in attendance unanimously approved this change;

NOW, THEREFORE BE IT RESOLVED, that the Executive Board of the Municipal Clerks' Association of New Jersey hereby memorializes the vote taken at the Special Meeting on March 27, 2014 to change the Association's operating year to a fiscal year July 1 through June 30, effective July 1, 2014; and

BE IT FURTHER RESOLVED, that the Annual Business Meeting shall be held in conjunction with the Association's Annual Education Conference (March or April) each year.

Following discussion of same, upon motion made by 1st Vice President, Kazmark and seconded by Immediate Past President Saffos, the resolution was unanimously approved.

ii. Secretary Galland stated that he has several sets of minutes to be posted to the website to bring it up to date. President Mitch provided the contact person's name to have this accomplished.

There was further discussion regarding the posting of Executive Board minutes on the website, as this has not been done in the past. A motion was made and accepted to post the Executive Board Meeting minutes on the website, pending review and confirmation by the Association's Attorney.

iii. Secretary Galland reported that he is in receipt of correspondence from UNITEHERE Local 54, requesting that the Association pledge not to bring events to Revel in Atlantic City if the workers were to be fired. Other Board Members expressed that they too had received such correspondence.

Secretary Galland expressed that he had been approached at the Education Conference regarding the Association's By-Laws and the requirement that Executive Board Members are required to be tenured clerks. A discussion followed as to the logic of this requirement.

- iv. Immediate Past President Saffos raised the issue regarding the Advisory Board Meeting Minutes and the need to document the reports given by each of the Advisory Board Members in those minutes. It was determined by the majority that the minutes needed to reflect the content of the reports. It was suggested that the Advisory Board Members be required to submit their reports in writing or that the meeting be recorded. It was determined that a recording shall be made of the meeting.

b. TREASURER – DINA ZAWADSKI

Membership Report – as of April 28, 2014, there are 719 (as of May 1, 2014, 723) Members in the Association, with a breakdown as follows:

CATEGORY	TOTAL
Full – Municipal Clerk	441
Affiliate – All Others	22
Honorary Membership (Retired)	44
Full – Clerk of Freeholder Board	2
Associate – Assistant Municipal Clerk	19
Associate – Deputy Municipal Clerk	173
Full – Acting Municipal Clerk	15
Associate – Deputy County Clerk	1
Full- County Clerk	2
GRAND TOTAL	719

Treasurer Zawadski stated that there is some difficulty in matching payment to membership registration, since in some cases payments received from municipalities are not listing registrants by name in the correspondence. Further some registrants have not paid and a gentle reminder may be appropriate.

c. SECOND VICE PRESIDENT – DENISE SZABO

- i. Website Update – 2nd Vice President Szabo reported that she is pleased with the vendor; and that the site has great potential. She suggested that online registration for mini-conferences be the next improvement to explore. She also stated that there needs to be a procedure to remove old information.
- ii. On-Line Banking – 2nd Vice President Szabo reported that she continues to pay the Association’s bills. Further, that she is very happy with the process, especially the ability to pay from any computer and ease of down loading reports.

Discussion followed regarding the need for a book keeper and the pitfalls of transferring the Treasurer’s responsibilities to a new person annually. Immediate Past President Saffos suggested that this responsibility belongs with the Executive Director. After a lengthy discussion it was agreed that the Executive Director will sit with the 2nd Vice President to review

the process and come back in August with a recommendation and further consideration.

d. FIRST VICE PRESIDENT – KEITH KAZMARK

- i. Implementing adopted amendments to Constitution & By-Laws (including future Quill issues and content).

1st Vice President Kazmark stated that he is communicating with Jim Doherty current Editor of the Quill to publicize the changes to the Constitution & By-Laws in The Quill. Further, it was stated that Mr. Doherty plans on relinquishing his position as Editor some-time next year and a replacement is needed.

- ii. League of Municipalities – 1st Vice President Kazmark reported that he, President Mitch, and Executive Director Popkin attended a meeting on April 16th to represent the Association in planning the 2014 League of Municipalities Convention. Although tentative, Clerk courses will be offered in Professional Development; Licensing; Elections; Technology and Records.

e. PRESIDENT JOHN MITCH

- i. GovNetNJ.com subscription/committee report

President Mitch reported that Kim-Marie White, Chair, Legislative Review Committee for Laws Pertaining to Municipal Clerks' Profession, continues to use the subscription and desires to maintain it.

- ii. MCANJ Membership Spotlight Recognition

Jane McCarthy, Municipal Clerk, Bloomingdale is the winner of the April NCANJ Membership Spotlight Recognition Award. No nominations were received for the month of March.

1st Vice President Kazmark suggested that the Mayor of the winner be notified in the future to assure appropriate recognition by the governing body.

- iii. 1099 Forms

President Mitch reminded the Board that all unincorporated entities, including individuals, who receive \$600.00 or more will be receiving a 1099. The President indicated that he would send a W-9 form to the Treasurer.

- iv. Steve Weinstein proposal to create financial reports for the time period 1/1/14 through 6/30/14.

President Mitch stated that the accountant's proposal is for \$1,500.00. Following discussion of same, upon motion made by Immediate Past President Saffos, seconded by 1st Vice President,

Kazmark, and passed on voice vote it was agreed to have the accountant prepare the necessary financial reports at a cost of \$1,500.00. In addition, the President is going to speak to Steve Weinstein about his hourly rate and possibly holding the line.

- v. Consideration to allow Freeholder Clerks to join the LDF.

There was a lengthy discussion regarding this matter. A double standard exists in that these clerks pay full membership, are allowed to vote, yet, not permitted to join the LDF. Further they are not tenured and are at will employees. It was recommended that if these clerks are permitted to join the LDF, that they be RMCs in order to assure appropriate training has been provided reducing the risk of error. This matter will be added to the agenda for the next Advisory Board meeting.

- vi. Consideration to permit OPRA issues if similar to Franklin case to be eligible for coverage through LDF.

Circumstances of the Franklin case were discussed. It was agreed that further clarification needs to be secured before a decision can be made.

- vii. Standard Operating Procedures (SOP) Duties and Responsibilities of Officers-2nd Vice President.

President Mitch suggested that item 2 (Make arrangements for availability of lodging at League Conference) be eliminated from the duties of the 2nd Vice President in the SOP. The primary reason for this suggestion is based on the increase in available rooms today as compared to years ago. Motion made by 1st Vice President Kazmark, seconded by Immediate Past President Saffos, and approved by voice vote to remove item 2 of the 2nd Vice President's responsibilities as stated in the Association's SOP. Immediate Past President Saffos will memorialize same in the SOP.

- viii. Additional proposed Constitution & By-Law changes forward to committee for review and action.

President Mitch reported that Counsel Lustgarten had forwarded some items that he suggested be reviewed by the Constitution and Bylaws committee for future consideration. The suggestions were forward by President Mitch to Chair Eileen Gore for review and action prior to the 2015 Annual Meeting.

- ix. Franklin OPRA case ruling (\$1,000.00 penalty) and Empower Our Neighborhood vs. Guadagno case forwarded to Legal Counsel for review.

President Mitch has requested that the Association's Legal Counsel author an article for The Quill on these matters.

x. FDS process for 2014

Additional time to file has been provided - June 13, 2014.

xi. Municipal Clerk's Week Resolution.

Information and sample resolution has been sent to members.

xii. Miscellaneous Matters.

a. Mary O'Keefe, Municipal Clerk in Butler, inquired to President Mitch at the conference about the steps MCANJ took with regards to the recently enacted Bill concerning Shared Services. Shortly after the conference, President Mitch sent a list of actions taken by the Executive Board to Clerk O'Keefe and she was satisfied with same.

b. A Mansfield Council Woman expressed that Deputy Municipal Clerks be RMCs. Discussion ensue and a suggestion made to advise councilwoman that each specific municipality has the authority to enact requirements for positions, which are not governed by N.J.S.A. of which Deputy Clerk is one of them.

c. That a stipend at the rate of 50% will be issued to those committee chairpersons and board members on June 30, 2014 for the first six months of 2014. Following discussion, a vote was taken that the President will communicate with the Board next week with suggested remuneration amounts. Motion made by Immediate Past President Saffos, seconded by 1st Vice President Kazmark, and approved by voice vote.

f. IMMEDIATE PAST PRESIDENT REPORT – NANCY SAFFOS

Policy: Define active membership relating to retirees letter openers and allow for discretion by president, if so warranted.

After discussion, a motion was made by Immediate Past President Saffos, seconded by 1st Vice President Kazmark, and passed on voice vote with 2nd Vice President Szabo dissenting.

Changes in the SOP will be forwarded to the Secretary for inclusion in the minutes.

g. EXECUTIVE DIRECTOR –JOEL POPKIN

i. Legal Defense Fund

a. Financial Report – Executive Director Popkin reported that the Account Balance as of April 28, 2014, for the Legal Defense Fund totals \$126,408.42, (Certificate of Deposit

\$86,936.85 and Money Market Checking Account \$39,471.57).

- b. Membership Update – the extended date to join notification was successful in that 14 additional registrations were received.
 - c. Legal Counsel has been requested to review the LDF By-Laws to prevent a clerk from joining the LDF after and event has occurred.
- ii. 2014 Conference – Invoice from Taj Mahal. All invoices have been paid. A profit in the amount of \$16,815.45 was generated as a result of the 2014 Education Conference.
 - iii. League of Municipalities. Group room reservations are no longer needed and will not be provided going forward.
 - iv. Confirm ordering more “To Do Lists” as give-a-ways at the booth. Authorization to order same was provided.
 - v. Suite for President. President Mitch expressed that he did not need a suite for the NJLOM this year.
 - vi. Criteria for Clerk of the Year – Interpretation – Board must take nomination. It has been previously agreed and documented, that in addition to names submitted for this award by our members, the Board may also submit candidates.
 - vii. Updating of SOP per Constitution Changes. It was agreed that the updates shall be made now rather than waiting for the Transition Meeting.
 - viii. Devil Pins for IIMC. Available to those attending the IIMC Conference at the conclusion of the meeting, at no cost.
 - ix. Website Conference Information Still Up. Need to establish a procedure whereby stale information is removed.
 - x. 2015 Conference Site. Looking at the Taj Mahal, Revel and Resorts. More to follow based on available dates.
 - xi. New Booth Update. Information regarding the purchase of a new booth will be sent to the Executive Board.
 - xii. Award of Scholarships for 2015 Conference. Needs to be accomplished.

7. OTHER BUSINESS – UPDATES

- i. MCANJ President or representative on Government Records Council – nothing new to report.
- ii. OPRA/OPMA – nothing new to report.

iii. Shared Services – nothing new to report.

8. UPCOMING DATES:

- i. 2014 RMC Certification Exams administered by DLGS set for April 22, 2014 (past) and October 15, 2014.
- ii. Municipal Clerk's Week (May 4-10, 2014).

9. OTHER

Next Advisory Board Meeting scheduled for June 13, 2014 in Woodbridge.

10. ADJOURNMENT

Motion made by Treasurer Zawadski, seconded by 1st Vice President Kazmark and unanimously passed by voice vote at 12:31PM.

Respectfully submitted by:

Kevin Galland, MCANJ Secretary