



THE BULLETIN

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President's Message

Daniel P. Borchert, President

This will be my last message as President of this prestigious Association. It has been my extreme pleasure to serve as your President for the past two years. I am very confident in the leadership that we will have moving forward.

The Cornell Municipal Clerks Institute is a premium educational opportunity provided by a partnership between the City and Village Clerks and the Town Clerks Associations of the State of New York and Cornell University's Community and Rural Development Institute (CaRDI). We invite you to participate. You will gain new knowledge, skills, enhance the administration of your office, and contribute to the professionalism of your municipal government. The 2012 Cornell Municipal Clerks Institute (CMCI) will be held this year from July 8, 2012 through July 12, 2012 at Cornell University. The program runs from Sunday afternoon through Thursday afternoon. This summer, CMCI will open its doors for one day, July 11, to elected officials and clerks who are interested in experiencing the Institute but are unable to attend for the entire four days. This is an opportunity for elected officials to participate in classes and understand the relevance of CMCI to local and county government leadership and the caliber of the training that clerks receive during their stay at Cornell. Likewise, clerks who have not yet experienced the Institute but who are curious will fully participate for one day, gaining credit for classes taken towards their CMC or MMC certification through the International Institute of Municipal Clerks (IIMC).

Certified Municipal Clerks and Master of Municipal Clerks registration fee is \$800. This includes all coursework, materials, meals, a banquet, and air-conditioned lodging for four nights. The registration fee for the one day clerk event is \$100. For detailed conference information and registration please visit the CMCI website at <http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/training/cmci/index.cfm>. If you are looking for financial assistance to attend the Institute, please remember that our Association annually awards scholarships to help our members attend the Institute. The scholarship application can be downloaded from our website at www.nysclerks.com/prog_award/scholarshipapp.pdf

This year's Fall Training School will be held at the Crowne Plaza in beautiful Lake Placid from September 10 - 14, 2012. Our Association has worked hard with NY-COM and the Office of the State Comptroller for a variety of innovative training sessions on current and relevant topics to all of our municipalities. The training school also provides networking opportunities that you will have for years on end.

I would like to take this opportunity to thank and commend the members of the Executive Committee for their commitment and dedication to our Association, along with our profession as demonstrated, by their continuing interest in serving as of-

(President's Message continued on Page 3)

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*"The moral arc of the universe bends toward justice."
- Martin Luther King, Jr.*



Editor's Message

James R. Koury, Bulletin Editor

Welcome to the Spring Edition of The Bulletin! I hope you find the information contained in this issue useful in your day-to-day activities in your capacity as the Clerk of your municipality. I would like to address a number of items included in this issue.

First, the Certified Municipal Clerk's Institute and Academy is coming up and will be here before we know it. The CMCI will be held July 8-12, 2012. The Executive Committee encourages your attendance at this very worthwhile educational opportunity. Knowledge is power and the CMCI will provide that to you and make you better clerks! Check out the article on the CMCI on page 4. The CMCI is a rewarding educational experience and I know you will not regret attending. You will also meet a lot of great people and develop friendships that will last a lifetime.

Second, will be a number of vacancies coming up on the Executive Committee in September. If you are interested in volunteering for a committee or being on the Executive Committee, you should contact President Daniel Borchert at the Village of Akron at the contact information provided below. The association always is looking for new people with fresh perspectives on how to do our jobs better and making the association better than it currently is! There currently is

a vacancy on the committee and I will be stepping down as Secretary after the Annual Meeting to be held in Lake Placid in September. I would encourage you to submit a letter of interest to the Nominating Committee for its consideration.

Third, as you may have already noticed, the Bulletin is now in full color! I am very excited that the new printer has allowed us the ability to do our Association Bulletin in color for the same cost as black and white! You rock Wayuga Printing and Publishing. Check out their display ad on page 9. If you have any printing needs, call Mike Bettis at Wayuga! He'll help you out with whatever you need to have done.

Fourth, congratulations to Shawn Cullinane for being elected as the IIMC Region I Director. Shawn will serve our association well and make sure Region I's concerns are forwarded to the IIMC Board of Directors. Shawn will be our Director for a three-year term. If you have any questions or wish him to relay any concerns to IIMC, don't hesitate to contact him. Read his article on the IIMC Annual Conference on page 10.

Last, if you would like to submit any items of interest for publication in The Bulletin, you should contact me at jkoury@oneonta.ny.us or by phone at 607.432.6450. The Bulletin belongs to YOU, the members, and I would encourage you to take advantage of the exposure The Bulletin brings.

Have a great rest of spring, summer will be here before we know it!

2011 - 2012 NYSACVC Officers

President: Daniel P. Borchert
Village of Akron
(716) 542-9636, borchert@akronvillage.us

1st Vice President: Vacant
(Interested persons wanting to be on the Executive Committee should contact President Borchert)

2nd Vice President: Randy Bond
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(516) 883-3044, randy@sandspoint.org

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Village of Camden
(315) 245-0560, camdengov@yahoo.com

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Secretary: James R. Koury
City of Oneonta
(607) 432-6450, jkoury@oneonta.ny.us

Immediate Past President: Brian Ridgway
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(516) 465-4053, bridgway@gardencityny.net

Association Counsel: Shawn Cullinane
Village of Lindenhurst
(631) 957-7504, voladmin@optonline.net

The Executive Committee wants to hear from you! Let us know what your thoughts are about our Association and things it can do for you to make you a better clerk!

Tug Hill Conference

By Tamara Bonomo

The Tug Hill Commission hosted its 23rd annual North Country Local Government Conference on Thursday, March 29, 2012 at Jefferson Community College in Watertown. This year's record-breaking attendance drew in over 700 local officials from the counties of Jefferson, Lewis, Oneida, Oswego and St. Lawrence.

This one-day event offered a short keynote address with a full day of sessions (a total of 30) addressing a variety of topics geared toward Town and Village Boards, Planning Boards, Zoning Boards of Appeal, Highway Departments, Clerks and Assessors. This year, an extra track was added addressing the 2% tax levy cap legislation and how it will impact local governments. In addition, there were exhibits that featured services provided to local governments by a variety of businesses and government agencies.

For more information on the Tug Hill Commission, go to its website at: <http://www.tughill.org>.



President's Message

(Continued From Page 1)

icers of the New York State Association of City and Village Clerks (NYSACVC) for the past two years. We are always looking for new members who would like to get involved with our Association. Please feel free to contact any of us with any of your questions, ideas, and or concerns.

Have a safe and wonderful summer with your families and I look forward to seeing all of you at the Fall Training School in Lake Placid. As I stated at our annual meeting, I am always reminded of the words by IIMC Past-President, Jean Bailey (Rocky Mount, NC) "Municipal Clerks, Simply the Best".

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The Cornell Municipal Clerks Institute is a premium educational opportunity provided by a partnership between the City and Village Clerks and the Town Clerks Associations of the State of New York and Cornell University's Community and Rural Development Institute (CaRDI). We invite you to participate. You will gain new knowledge, skills, enhance the administration of your office, and contribute to the professionalism of your municipal government.

Cornell's Institute is approved by the International Institute of Municipal Clerks (IIMC). Founded in 1947, IIMC is



the leading professional nonprofit association of Municipal Clerks and officials from cities and towns around the world. To receive Certified Municipal Clerk (CMC) or Master Municipal Clerk (MMC) Designation through Cornell's Municipal Clerks Institute, Clerks must fulfill a two year IIMC membership requirement, fulfill the designation requirements and must sustain membership in order to maintain the designation. Information about applying for IIMC membership and designation requirements can be found at the IIMC website at www.iimc.org.

City, town, and village clerks, deputy clerks, and clerks of county legislative boards, as well as other municipal officials who seek professional development. Those who want to attend in order to gain needed additional credits to maintain their CMC status are welcomed. Certified Municipal Clerks who want to continue working towards the Master Municipal Clerks certification (MMC) are also encouraged to attend.



This summer, the Cornell Municipal Clerks Institute (CMCI) will open its doors for one day, July 11, to elected officials, and also to clerks who are interested in experiencing the Institute but are un-

able to attend for the entire four days. This is an opportunity for elected officials to participate in classes and understand the relevance of CMCI to local and county government leadership and the caliber of the training that clerks receive during their week at Cornell. Likewise, clerks who have not yet experienced the Institute but who are curious will fully participate for one day, gaining credit for classes taken towards their CMC or MMC certification through the International Institute of Municipal Clerks (IIMC)*. More information will be posted at the CMCI website as it becomes available. Click the links at the website for a special invitation for clerks or for a special invitation for local officials. We encourage you to share these invitations with clerks and local officials who you feel might be interested in this opportunity.

Cornell University faculty, faculty from other New York universities, as well as professionals within the Cornell community serve the Cornell Municipal Clerks and Master Clerks Programs.



By attending, you will improve your professional skills and enhance the service you provide to your local government and community and work toward the 120-hour requirement (over a three-year period) of the International Institute of Municipal Clerks (IIMC) to become a Certified Municipal Clerk.

The teaching format is comprised of small classroom lectures, hands-on computer labs, group activities, self-evaluations, and informal discussions are all used during these trainings.

For more information on the CMCI, how to register and what the requirements are for attending, you should go to the CMCI website at:

<http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/training/cmci/index.cfm>

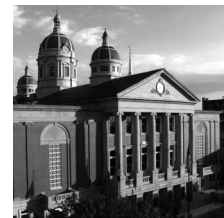


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Conducting an Executive Session

By Robert Freeman, Committee on Open Government



The Open Meetings Law requires that a motion for entry into executive session must indicate the subject or subjects to be discussed. Based on a recent decision of the Appellate Division, as well as earlier decisions, a motion cannot merely parrot the language of a statutory ground for conducting an executive session. It is clear that describing an

issue as a “personnel matter,” a “legal matter,” or “contracts,” without more, is inadequate and fails to comply with law. In short, the decision confirms that a motion to conduct an executive session should include information sufficient to enable the public to believe that there is a valid basis for closing the doors.

We note the recent decision in *Zehner v Board of Education of Jordan-Elbridge Central School District*, in which the Appellate Division affirmed that the lower court “... properly determined that respondent violated the Open Meetings Law on three occasions by merely reciting statutory categories for going into executive session without setting forth more precise reasons for doing so. Given the overriding purpose of the Open Meetings Law, section 105 is to be strictly construed, and the real purpose of an executive session will be carefully scrutinized ‘lest the ... mandate [of the Open Meetings Law] be thwarted by thinly veiled references to the areas delineated thereunder’ (*Daily Gazette Co. v Town Bd., Town of Cobleskill*, 111 Misc2d 303, 304 [Sup Ct, Schoharie County 1981]; see e.g. *Gordon v Village of Monticello*, 87 NY2d 207 AD2d 55.” *Zehner v Board of Education of Jordan-Elbridge Central School District*, Appellate Division, 4th Dept, January 31, 2012.

The Supreme Court had set out three factual scenarios whereby the School Board motioned for entry into executive session, but failed to use sufficiently descriptive language. A copy of the lower court decision is available here.

The first scenario involved a motion to enter executive session for “discussion regarding proposed, pending or current litigation” and the employment matter of “a particular person or corporation or matters leading to appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.” The court noted that the Board President clarified that she “limited the reasons for entering into executive session to the matters with which the Board would confer with counsel about” and that the Board discussed matters concerning proposed or pending and current litigation with counsel, as well as employee discipline issues pursuant to Education Law §3020-a, and employment issues concerning the Board’s former attorney.

The court found no reason for the “lack of specificity,” nor was there any indication that the minutes did not accurately reflect the motion. A violation of the Open Meetings Law occurred, the court determined, due to the Board’s failure to “identify with particularity the topic to be discussed,” citing previous decisions, “since only through such identification will the purposes of the Open Meetings Law be realized” (see e.g., *Daily Gazette v. Cobleskill*, supra; *Gordon v. Monticello*, supra).

The second scenario involved the Board conducting an executive session for two purposes: “collective negotiations pursuant to Article fourteen of the civil service law” and “the medical, financial, credit or employment history of a particular person.” The Board President claimed that “the Board spoke to its counsel about the same matters as discussed [in the first example], as well as matters related to negotiations with an employee union, but does not refute that only boilerplate language was utilized.”

In the third situation, the Board entered into executive session “for the purpose of discussing matters related to the appointment or employment of a particular person.” By its own admission, it failed to identify the matter as the process of searching for a new superintendent, even though there was no reason not to inform the public of that subject. The court determined that a violation of the Open Meetings Law occurred.

The Board’s recitation of statutory language contained within section 105(1) of the Open Meetings Law was insufficient, the court found, awarding attorney’s fees to the petitioner and directing the Board to attend training provided by this office.

The message is that members of public bodies must be both flexible and articulate in their motions for entry into executive session due to the intent of the Open Meetings Law, and the courts’ views concerning the narrowness of the grounds for conducting executive sessions.

Certified Municipal Clerks Institute

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It may no longer be sufficient for a motion to indicate the discussion pertains to “the employment history of a particular person” or “matters leading to the employment of a particular person” when interviewing candidates for a position. The Court appears to require that the motion indicate the position for which the candidates are being considered. While there may be a few circumstances under which this is not appropriate, it appears that this requirement is not only in keeping with the tenets of the Law, but that it offers clarification that will assist in minimizing speculation regarding the propriety of discussions that occur in private.

Similarly, it can be inferred from the decision that when there is need to discuss an employee’s job performance, and any potential discipline resulting from such performance, the public body should refrain from listing all of the potential issues that could be discussed pursuant to section 105(1)(f); rather, a motion should refer only to those that are intended to be discussed. For example, a motion could simply be “to discuss the employment history of a particular person and matters leading to that person’s potential discipline or suspension.” It remains the view of this office that the name of a person need not be disclosed in a motion to conduct an executive session.

When the issue involves collective bargaining negotiations, the public body could, for example, indicate that it intends to discuss an offer received, that it is necessary to formulate the body’s strategy with respect to upcoming negotiations in executive session, or perhaps that it is in the process of drafting an offer. It would not be necessary to provide specific information about the nature of the offer, but identification of the particular union involved would be required (see e.g., *Doolittle v. Board of Education, Supreme Ct., Chemung Cty., July 21, 1981*)

The Zehner decision confirms *Daily Gazette, supra*, in which it was held that:

“It is insufficient to merely regurgitate the statutory language; to wit, ‘discussions regarding proposed, pending or current litigation.’ This boilerplate recitation does not comply with the intent of the statute. To validly convene an executive session for discussion of proposed, pending or current litigation, the public body must identify with particularity the pending, proposed or current litigation to be discussed during the executive session” (Id. at 46, emphasis added by court).

The emphasis in the passage quoted above on the word “the” indicates that when the discussion relates to litigation that has been initiated, the motion must name the litigation. For example, a proper motion might be: “I move to enter into executive session to discuss our litigation strategy in the case of the XYZ Company v. the Board of Education.” If the Board seeks to discuss its litigation strategy in relation to a person or entity that it intends to sue, and if premature identification of that person or entity could adversely affect the interests of the school district and its residents, it has been suggested that the motion need not identify that person or entity, but

that it should clearly indicate that the discussion will involve litigation strategy. Only by means of that kind of description can the board comply with Zehner and inform the public that the subject matter may justifiably be considered during an executive session.

It is impossible to predict the circumstances surrounding every executive session, and this office has neither the resources nor the inclination to specify language in every situation. Accordingly, we encourage members of public bodies to share more information about their intended topic for discussion in executive session, in a manner that clarifies that the discussions are reasonably within the parameters of the law, and to protect individuals from what might be an unwarranted invasion of personal privacy and/or the government’s ability to function.

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Clerk of the Year Award Nominations

Nominations are being taken for the 2012 Clerk of the Year. The award will be given out at the NYSACVC Annual Meeting to be held at the NYCOM/OSC Fall Training School. This year's school will be in Lake Placid, NY.

The minimum qualifications for the award are: 1) Member of the NYSACVC for at least 3 years; 2) Education on a continuous basis - personal and professional development through participation in, for example, Fall Training School, workshops, IIMC Programs, college courses, etc.; 3) Experience (on the job training); 4) Must have participated in some professional activities (e.g., State Association, IIMC, local associations).

Nominations must be received by July 1st of each year. Nominations may be made by a State Association member; regional Clerk's association; Mayor or City Council/Village Board.

For more information on the Clerk of the Year Award and additional qualifications, go to the NYSACVC website at: www.nysclerks.com, "Programs and Awards." You can also contact the Awards Committee Chair, Donna Harris at 516.922.6722 or by e-mail at: millneckvillage@optonline.net.

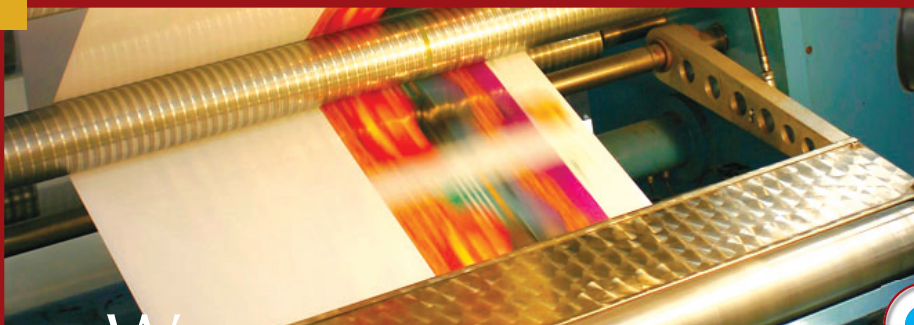
Distinguished Service Award Nominations

Nominations are being taken for the 2012 Distinguished Service Award. The award will be given out at the NYSACVC Annual Meeting to be held at the NYCOM/OSC Fall Training School. This year's school will be in Lake Placid, NY.

The minimum qualifications for the award are: 1) A person who has put forth extraordinary effort to assist the association, to promote the goals of the association, and provide support and help to clerks. The candidate must also be a person other than a clerk.

The guidelines for the Distinguished Service Award are as follows: 1) Nomination made by an Executive Committee member and/or a member of the Association; 2) Nominations forwarded to the Clerk of the Year/Distinguished Service Award Chairperson, and consideration of nominations and selection will be made by the Award Committee; 3) Nomination to be received by July 1st of each year; 4) More than one award may be made in any given year, as well as no award given, with decision made by the Committee based on nominations received.

See the Clerk of the Year Article for contact information.



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66th IIMC Annual Conference May 20-24, 2012 Portland, OR

By Shawn Cullinane, NYSACVC Liaison and IIMC Region One Director



Greetings from Portland, Oregon, the ‘City of Roses’, and host city of the 66th International Institute of Municipal Clerks (IIMC) Annual Conference. Located just west of the picturesque Columbia River Gorge and an hour’s drive from the Pacific Ocean, Oregon’s largest city did a great job welcoming over 650 delegates and guests from the United States, Canada and 8 foreign nations. New York State was represented by six Village, Town and City Clerks including yours truly and NYSACVC Vice President Patrick Farrell representing Association President Dan Borchert. (Insert photo from the Annual Business Meeting. L to R is Shawn Cullinane, Region One Director, Charlotte Cowan, Town Clerk of Canaan, Cindy Goliber, Town Clerk of Potsdam, Patrick Farrell, Village Clerk of Floral Park, Susan Haag, Town Clerk of Austerlitz, Kathleen Newkirk, retired Town Clerk of Bethlehem.)

“Ascending to New Heights” was the theme this year encouraging Clerks to pursue education and training and certification as a CMC or MMC. The Oregon and Region IX Conference Committee worked hard to make sure all the conferences attendees enjoyed the great variety of educational sessions, motivational speakers, and social activities available. Education has always been a priority at IIMC conferences and once again, all attendees had the opportunity to earn 8 points towards their CMC or MMC accreditation. In addition, several pre-conference academy sessions and Athenian Dialogues were available and well attended.

The Opening Ceremony of an Annual Conference is always a great event and includes the parade of flags representing the delegates from the American states, Canadian provinces and foreign nations that take part in Conference. Carrying the New York State flag this year was Cindy Goliber, President of the New York State Town Clerk’s Association. Cindy was attending her first IIMC Annual Conference and was truly impressed and grateful for the opportunity to represent New York.

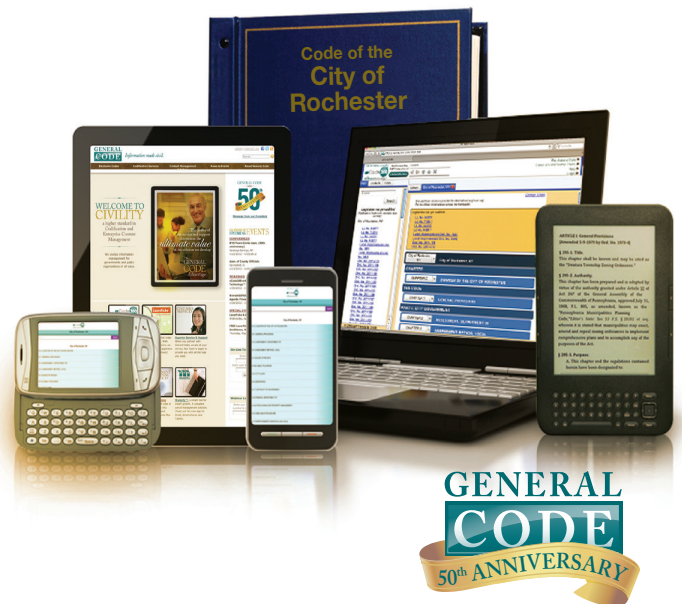
Eleven separate region meetings followed the Opening Ceremony. As incoming Region I Director, I was asked to chair the meeting. Region I (all of New England and New York) spent most of the meeting discussing preliminary plans for the upcoming 2015 IIMC Conference to be held in Hartford, CT. This will be the first IIMC conference in Region I since the 1997 Buffalo conference. The theme for Hartford is being finalized and preliminary meetings regarding education sessions and social events have been planned. An information booth was set-up in Portland manned by

volunteers from New England and New York telling everybody about Hartford 2015. An interesting side note was how many clerks from across the country said they or their families were originally from the Connecticut / New England / Northeast region and how excited they would be to go back to the area for the 2015 conference. Reports were also given regarding the Municipal Institutes and Academies in Cornell, New York and Plymouth, New Hampshire as well as from each of the states on various issues affecting their town, cities and villages. 20 Region One delegates were in attendance in Portland.

That evening, a reception sponsored by the Municipal Clerks’ Association of New Jersey and our friends Gary Domenico and Bruce Cadman at General Code Publishers, was held for the conference attendees from Regions One Two, which comprises of New Jersey, Delaware, Virginia, West Virginia, Pennsylvania and Maryland. This was important because Region Two will be home of next year’s conference in Atlantic City, New Jersey, giving many east coast Clerks a great opportunity to attend IIMC conference.

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After a full day of education sessions on Wednesday, the IIMC All Conference event was held that night at the Evergreen Aviation and Space Museum outside of Portland. This museum is unique in that it acquired and now houses the original Spruce Goose airplane built by Howard Hughes. It has the largest wingspan ever constructed for an airplane and is built almost of entirely of wood due to shortages of metal during World War II. The Spruce Goose flew for just once for one minute at an altitude of only 70 feet off the water.

IIMC's Annual Business Meeting was held on Thursday morning May 24th. The newest members of the IIMC Board of Directors, including yours truly, and the 2012-2013 Executive Committee were sworn in. Our new President is Brenda Cirtin of Springfield, Missouri, the President-Elect is Marc Lemoine of Winnipeg, Canada, and the new Vice President is Brenda Young of Nashville, Indiana.



Next year's IIMC Conference will be in Atlantic City, New Jersey, May 19-23, 2013. If you have not attended a conference before, this may be your best opportunity to do so. In addition to the educational sessions, the motivational speakers, the chance to meet Clerks from throughout the world, you get to explore a city or state you may never have reason to visit. Atlantic City will be very affordable as room rates for

the conference have been set at \$99 per night and for most of us in New York, it's only a few hours distance by car. All first-timers receive a \$50 conference registration discount as well.

This year's conference was special for me in that I began my three-year term as your new IIMC Region One Director. I am honored and pleased to serve New York and our sister states in Region One, Maine, Vermont, New Hampshire, Connecticut, Massachusetts and Rhode Island, in this capacity and I look forward to providing you with representation on the IIMC Board of Directors promoting the issues and concerns you have.

If anyone has any questions about IIMC, contact me at your convenience.

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Jeffrey R. Smith
President

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Stegmeier Earns CMC From IIMC



Michael E. Stegmeier, Village Clerk/Treasurer, Village of Lancaster has received his Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC).

The CMC designation program is designed to enhance the job performance of the Clerk in small and large municipalities. To earn the CMC designation, a Municipal Clerk must attend extensive education programs. The designation also requires pertinent experience in a municipality. The program prepares the participants to meet the challenges of the complex role of the municipal clerks by providing them with quality education in partnership with 47 institutions of higher learning. The program has been in existence since 1970 and has helped thousands of clerks in various municipalities.

Founded in 1947, IIMC is a professional association with more than 10,000 members in the US, Canada and 15 other countries. IIMC's primary goal is to actively promote the continuing education and professional development of municipal clerks through extensive education programs, cer-

tification, recertification, publications, networking, annual conferences and research. IIMC also engages in municipal research administration, enhances critical professional skill development and fosters a spirit of mutual assistance and good fellowship among municipal clerks around the globe. IIMC is governed by a 26-member Board of Directors.

For more information please visit the IIMC website at www.iimc.com or contact IIMC at hq@iimc.com or 909-944-4162.

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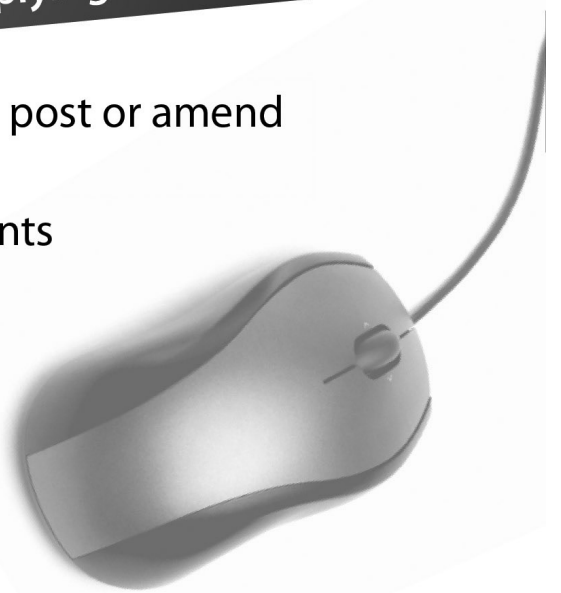
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KEEPING YOU AHEAD OF RISING EXPECTATIONS



From The Department of Health By Jim Meany, Office of Vital Records Registration Unit



On September 23, 2011, the New York State legislature passed an Act to amend Public Health Law to establish a Certificate of Still Birth. The new Law, which became effective 180 days after passage, amends Article 41 of Public Health Law to create a new section 4160-a, requiring the New York State Department of Health to establish a Certificate of Still Birth. The Law took effect on March 21, 2012. Information

on the new Law was provided to Local Registrars, Hospitals and Funeral Directors.

Please be advised that the Law specifies that only the Department of Health will be involved in the issuance of the Certificate of Still Birth. Registrars and Funeral Directors will have no role in the issuance of this certificate. We are notifying you of this Law so that if you receive an inquiry it can be directed to the appropriate authority. Also, a gestational age provision of the law will require the involvement of a funeral director in the disposition of the Still Birth remains so we are notifying funeral directors through the Funeral Director's Association and asking that you please pass this information on to your local funeral directors to help us reach as many funeral directors as possible.

Important provisions and considerations of the Certificate of Still Birth are:

1. A Certificate of Still Birth may only be issued by the New York State Department of Health, Vital Records Section (NY-SDOH). Local Registrars, hospitals and funeral directors will not issue a Certificate of Still Birth.
2. Only the birth parents named on the fetal death certificate may request a Certificate of Still Birth from NYSDOH by completing an Application to Department of Health for Certificate of Still Birth. If both parents are deceased at the time of the stillbirth, then a sibling of the birth parents or parents of the birth parents may apply for a Certificate of Still Birth. A certificate may be issued regardless of when the still birth event took place. Please refer all requests for a Certificate of Still Birth to the NYSDOH.
3. The person who prepares a Certificate of Fetal Death (in most cases the hospital) is required to inform the parent(s) in writing of the availability of the Certificate of Still Birth. NY-SDOH will provide instructional materials to local registrars who will distribute Still Birth materials in the same manner that the Certificate of Fetal Death form is distributed to hospitals and facilities today.
4. The Certificate of Still Birth does not replace the Certificate of Fetal Death. Information pertaining to the patient and fetus collected on the Certificate of Fetal Death will be the

basis for placing information on the Certificate of Still Birth. It is VERY important that the Certificate of Fetal Death be completed as currently mandated by Public Health Law. Failure to complete the Certificate of Fetal Death may hinder or prevent the issuance of the Certificate of Still Birth.

5. The new law defines Still Birth as the unintended intra-uterine death of a fetus that occurs after the clinical estimate of the 20th week of gestation. Therefore, it is mandatory that the clinical age of gestation (item 30) be completed on the Certificate of Fetal Death.

6. It is important that the hospital include the name given to the still born fetus, as well as, the parents' names, if the parents so wish. This information from the Certificate of Fetal Death will be used in the creation of the Certificate of Still Birth.

Thank you for your cooperation in this important effort and please do not hesitate to contact the Vital Records Registration Unit at (518) 474-8187 if you have any questions.

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Nominations Sought For 2012-2013 NYSACVC Executive Committee

By Shawn Cullinane, Nomination Committee Chairperson

The NYSACVC Nominating Committee is seeking nominations for anyone interested in serving on NYSACVC Executive Committee (EC) for the year 201-2012. The EC Members are President, 1st Vice President, 2nd Vice President, Directors (2), Treasurer, and Secretary. Anyone interested is encouraged to submit a letter of interest or a nomination to the Nominating Committee as soon as possible.

The EC is responsible for the management and direction of the Association during the year. An annual budget is proposed by the EC, as well as any major changes to the Association's rules, regulations and policies and presented to the membership at the Annual Business Meeting (ABM) during the NYCOM Fall Training School. The EC meets 3-4 a year, including during the Fall Training School. It is actively involved with NYCOM, the Cornell Municipal Clerks Institute and Academy, IIMC and IIMC Region One, as well as other municipal organizations.

After reviewing those interested in being an EC member, the Nominating Committee will recommend a slate of officers for 2012-2013 at the ABM. Nominations will also be accepted from the floor. The election takes place at the meeting and the new EC immediately takes office for the following year.

For any further information, contact any member of the Nominating Committee.

Shawn Cullinane, Chairperson, Village of Lindenhurst
(631) 957-7504
voladmin@optonline.net

Brian S. Ridgway, Village of Garden City
(516) 465-4053
bridgway@gardencityny.net

Kathie Montigelli, Village of Black River
(315) 773-5721
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Suzette Parker, Village of Copenhagen
(315) 688-4229
smparker1964@yahoo.com

Donna Harris, Village of Mill Neck
(516) 922-6722
millneckvillage@optonline.net

Calendar of Events

June 6, 2012: NYCOM Ethics Training, Monroe Community College, Rochester, NY -- www.nycom.org for details.

June 13, 2012: NYCOM Ethics Training, Adams Fire Hall, Adams, NY -- www.nycom.org for details.

June 21, 2012: Long Island Village Clerks & Treasurers Association: General Membership Lunch Meeting & Installation of Officers - Lombardi's on the Bay, Patchogue, Long Island

June 27, 2012: NYCOM Ethics Training, Stella Luna Restaurant, Oneonta, NY -- www.nycom.org for details.

July 8-12, 2012: Cornell Municipal Clerks Institute, Ithaca, NY.

July 11, 2012: NYSACVC Executive Committee Meeting at CMCI, Ithaca, NY, 4:30 p.m.

July 25, 2012: NYCOM Planning & Zoning Summer School, Albany Law School, Albany, NY -- www.nycom.org for details.

July 27, 2012: NYCOM Planning & Zoning Summer School, Marriott Buffalo Niagara, Amherst, NY-- www.nycom.org for details.

July 31, 2012: NYCOM Planning & Zoning Summer School, Hyatt House, Fishkill, NY-- www.nycom.org for details.

August 3, 2012: NYCOM Planning & Zoning School, Woodcliff Hotel, Fairport, NY-- www.nycom.org for details.

August 9, 2012: North Country Association of Village Clerks and Clerk/Treasurers Meeting, Tug Hill Vineyards, Lowville, NY.

September 10-14, 2012: NYCOM Fall Training School, Crowne Plaza, Lake Placid

October 22-24, 2012: NYCOM Public Works School, Canandaigua

If you have an event you would like to have publicized, contact the Editor at jkoury@oneonta.ny.us or call 607.432.6450. It will gladly be included in the Calendar of Events listing!

NYSACVC Committee Assignments 2011-2012

Audit: L. Kay Wharmby, Chairperson, Village of Fairport (585) 421-3202 lkw@fairportny.com; Robin L. Mitchell, Village of Camden (315) 245-0560 camdengov@yahoo.com

Awards: Donna Harris, Chairperson, Village of Mill Neck (516) 922-6722 millneckvillage@optonline.net; Tamara Bonomo, Village of Camden (315) 245-0560 camdengov@yahoo.com

Budget: Daniel P. Borchert, Chairperson, Village of Akron (716) 542-9636 borchert@akronvillage.us; Bonnie J. Page, Village of Speculator (518) 548-7354 speculat@frontiernet.net; Patrick Farrell, Village of Floral Park (516) 326-6300 pfarrell@fpvillage.org

Bulletin: James R. Koury, Chairperson, City of Oneonta (607) 432-6450 jkoury@oneonta.ny.us

By-Laws: Shawn Cullinane, Chairperson, Village of Lindenhurst (631) 957-7504 voladmin@optonline.net; Maureen Kemmet, Village of Victory (518) 695-3808 kemmetmaureen@yahoo.com; Donna Harris, Chairperson, Village of Mill Neck (516) 922-6722 millneckvillage@optonline.net

Education Development/CMCI: Daniel P. Borchert, Chairperson, Village of Akron (716) 542-9636 borchert@akronvillage.us; Randy Bond, Village of Sands Point (516) 883-3044 randy@sandspoint.org; Patrick Farrell, Village of Floral Park, (516) 326-6300 pfarrell@fpvillage.org

Fall Training School: Karen P. McLaughlin, Chairperson, Village of Millerton (518) 789-4489 clerk@villageofmillerton.com; Amber Jordan, Village of Millerton (518) 789-4489; Joanne Fleming, Village of Union Springs (315) 889-7341 us-clerk@verizon.net

IIMC Liaison/Region I Director: Shawn Cullinane, Village of Lindenhurst (631) 957-7504 voladmin@optonline.net

Legislative: Daniel P. Borchert, Village of Akron (716) 542-9636 borchert@akronvillage.us

Membership: Tamara Bonomo, Village of Camden (315) 245-0560 camdengov@yahoo.com

Nominating: Shawn Cullinane, Chairperson, Village of Lindenhurst (631) 957-7504 voladmin@optonline.net; Brian S. Ridgway, Village of Garden City (516) 465-4053 bridgway@gardencityny.net; Kathie Montigelli, Village of Black River (315) 773-5721 villofbr@gisco.net; Suzette Parker, Village of Copenhagen (315) 688-4229 smparker1964@yahoo.com; Donna Harris, Chairperson, Village of Mill Neck (516) 922-6722 millneckvillage@optonline.net

RMC Program: Bonnie J. Page, Chairperson, Village of Speculator (518) 548-7354 speculat@frontiernet.net; Daniel P. Borchert, Village of Akron (716) 542-9636 borchert@akronvillage.us; Patrick Farrell, Village of Floral Park, (516) 326-6300 pfarrell@fpvillage.org

RMC Appeals Committee: All Executive Committee Members

Scholarship: Randy Bond, Chairperson, Village of Sands Point (516) 883-3044 randy@sandspoint.org; Meghan Lodge, Village of Churchville (585) 293-3720 meghan@churchville.net; Michael E. Stegmeier, Village of Lancaster (716) 683-2105 treasurer@lancastervillage.org

Web-site: Louis DiDomenico (516) 318-4875 LMDDPW@aol.com

Have a GREAT SUMMER!

REMINDERS!

Submit Clerk of the Year and Distinguished Service Award nominations.

Register to attend the CMCI to be held July 8-12, 2012.

Register to attend the NYCOM Ethics Training sessions in three convenient locations throughout the state.

Register to attend the NYCOM Planning and Zoning Summer Schools to be held in four convenient locations throughout the state.

Submit your name to the Nominating Committee for positions on the Executive Committee.

Mark your calendars for the NYCOM/OSC Fall Training School to be held September 10-14, 2012.



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Contact the Editor, Jim Koury at:

607.432.6450

jkoury@oneonta.ny.us