

# THE BULLETIN

VOLUME 58. ISSUE #1

**WINTER 2011** 

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## President's Message Daniel P. Borchert, President

As we ring in 2011. I hope everyone had a

As we ring in 2011, I hope everyone had a happy and safe holiday season. As the New Year approaches we look forward to all the new things that it will bring. It also makes us look back and see what we have accomplished in the past year.

I would like to thank Past-President, Louis DiDomenico (Village of Kings Point) for the leadership that he provided with the Association last year. He continued to stress our commitment

to training and educational opportunities for all of our members.

We will continue to work closely with the New York State Conference of Mayors (NY-COM) and the Office of the State Comptroller (OSC) to put together another successful Fall Training School. We will begin working on the 2011 Fall Training School program in February. If you have any ideas or suggestions for the 2011 Fall Training School, please feel free to contact any member of the Executive Committee. The Fall Training School will be held September 19 – September 22 in Saratoga Springs, so please mark your calendars.

Our association is also a primary sponsor of the Cornell Municipal Clerks Institute (CMCI) and the Master Municipal Clerks Academy (MMCA). If you are interested in attending, please look into applying for a scholarship through our Association. Applications are due by June 1st. This year's Institute and Academy will be held from July 17-22. For more information on the Institute, please visit the Institute's page listed below:

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

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 officers of the New York State Association of City and Village Clerks (NYSACVC). I would also like to welcome Patrick Farrell (Village of New Hyde Park) as the newest member of the Executive Committee.

I am very proud to be serving as your president for the next year, along with our Executive Committee, we intend to do our very best to serve the needs of our membership. Please feel free to contact any of us with any of your questions, ideas, and or concerns. 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."

I look forwarding to serving you as your president of this great organization.

www.nysclerks.com

"An idea that is not dangerous is unworthy of being called an idea at all" - Oscar Wilde



**Editor's Message** 

James R. Koury, Bulletin Editor

Welcome to the winter issue of The Bulletin. I hope all is well in your villages and cities and that your snow removal budgets haven't been taxed too much in this, what has been so far, a snowy winter, at least upstate anyway!

This issue of The Bulletin is full of great information (at least the Editor thinks so). I hope you find the articles informative and enlightening. If anyone has any news of interest please forward it to me for the spring issue, which will come out in May, or thereabouts, in the ideal world.

I want to remind the membership of the upcoming Certified Municipal Clerks Institute (CMCI) which will be held July 17 – 21, 2011 at Cornell University. The institute is a premier educational experience and the Executive Committee urges you to explore the possibility of attending. You will not regret going, as it is a great experience and you will meet many new people, and develop long-lasting friendships.

Additionally, the NYSACVC has scholarship money to assist those who may not be able to afford to go. The information and application is on pages 4 and 5, respectively. The deadline is June 1st and the Chair of the Scholarship Committee, Randy Bond, is patiently waiting to receive your application! Don't hesitate... do it now!

As you have seen each Bulletin contains a Calendar of Events. I would be most appreciative if you could let me know if there is a meeting/conference of interest that you want publicized. The calendar is a good resource to inform people of what is going on in your respective regions. It is a great resource to place a notice about your local clerks' meetings and similar gatherings.

On a personal note, I want to wish my friend and colleague, Kim Reichert (LaMarche) the best in her retirement! Her smile and great sense of humor always lightened up any situation and she will be missed. I will also miss seeing Kim donning those black sunglasses the morning after her rigorous networking activities. Congratulations to all those others that have retired as well! I certainly do envy you all!

Also, congratulations to Joyce Jezewski on her Clerk of the Year Award and to Barbara VanEpps for winning the association's Distinguished Service Award, given at the Annual Meeting held in Lake Placid in September. There are articles on their awards on pages 7 and 13.

If you want to submit an article please do! I'd be more than happy to put it in a future issue. Also, if you know of any potential advertisers, have them give me a call or e-mail me at jkoury@oneonta.ny.us.

See you all soon. Be safe, be well.

## 2010 - 2011 NYSACVC Officers

President: Daniel P. Borchert

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(518) 234-3891, sheilagillespie@midtel.net

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Director: Tamara Bonomo Village of Camden

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

Director: Patrick Farrell Village of New Hyde Park

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Treasurer: Bonnie Page Village of Speculator

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Secretary: James R. Koury

City of Oneonta

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Immediate Past President: Louis DiDomenico

Village of Kings Point

(516) 504-1000, ldidomenico@villageofkingspoint.org

Association Counsel: Shawn Cullinance

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!

# Ag and Markets Update: The Dog Thing - Part II

Content taken from Ag and Markets Memorandum and Revised for NYSACVC Bulletin

As licensing municipalities have begun to implement the AML Article 7 dog licensing changes effective January 1, 2011, the Department has received questions on several technical issues as a result of these new laws. Much of the confusion comes from the inadvertent omission of certain technical details in the Legislature's successful restoration of the NYS Animal Population Control Program in the 2010-2011 State Budget. As such, the Department has been asked to provide guidance on the items included below.

Please be advised that, in each of these cases, the enacted law is either unclear or does not speak directly to the matter at hand. Therefore, the remarks below are merely suggestions based on legislative intent and current practice under the expiring law. These suggestions should not be construed as legal advice. You are not mandated by law to follow such suggestions. Municipalities will be well-served to watch for additional amendments to this law in 2011 as the Legislature seeks to address one or more of these issues:

December Revenue. After December 31, 2010, neither the Department nor county governments will have statutory responsibility for or infrastructure to support municipal dog licensing programs. Since the outgoing revenue-sharing structure will be repealed on January 1, 2011, the licensing municipality may retain any income from December licenses normally submitted in January to support their local dog licensing program. It is suggested, however, that such an effort be discussed with your County treasurer to avoid any discrepancies on that end.

Administration of the Animal Population Control Program (APCP). Last month the Department, ahead of schedule, awarded the contract to administer the APCP to the American Society for the Prevention of Cruelty to Animals (ASPCA) following a competitive bidding process. Please be aware that licensing municipalities must still submit the APCP surcharge monies to the Department. In turn, the Department will transfer the full balance of this fund every quarter to the ASPCA. This money will not be sent directly to the ASPCA via local government.

Submission of APCP Surcharges to the Department. Subdivision 3 of AML Section 110 requires an assessment of either \$1 (spayed/neutered dogs) or \$3 (unspayed/unneutered dogs) to be deposited in the NYS Animal Population Control Fund. Current law provides that this surcharge be remitted to the Department on the 5th day of each month. While the new law does not specify when clerks must submit this revenue, we recommend that it be submitted in the same manner as it is currently sent to avoid confusion.

**APCP Surcharges on Multi-Year Licenses.** Subdivision 1 of AML Section 109 requires that the licensing cycle be at "at least one year," but does not specifically state whether the

APCP surcharge should be applied one time for a multi-year license or once for every year the license is issued. Currently, the law requires that the APCP surcharge be assessed for each year of the license. We suggest that, to avoid confusion, municipalities continue this practice. For example, the surcharge on a two-year license would be \$2 and \$6, respectively, and \$3 and \$9 respectively on a three-year license.

APCP Surcharges on Purebred Licenses. Subdivision 3 of Section 109 authorizes municipalities to issue purebred licenses, yet it is unclear in the new law whether such surcharges should be assessed "per dog" or "per license." Currently, the law requires that the APCP surcharge be assessed "per dog." Again, the Department suggests that, to avoid confusion, municipalities continue this practice.

**Fee-Exempt Status on APCP Surcharges.** The new law is unclear on whether the APCP surcharge should be charged on fee-exempt dog licenses (for service dogs, etc.). Upon review of the previous statute, it does not appear that the Legislature intended that owners of such dogs must pay the APCP surcharge when the rest of the license fee is waived.

Again, it is important to remember that your municipality is not obligated by law to follow the above suggestions. This guidance is meant to assist you in making the best choices for your city, town or village, while at the same time ensuring a smooth transition into 2011 for all parties involved. On a final note, I would like to thank each of you for your time and patience as we worked through these programmatic changes.

Mark Your Calendars!

Cornell Municipal Clerks Institute

July 17 -21, 2011

Cornell University

Scholarships Available (see page 4 and 5)

#### SCHOLARSHIP APPLICATION INFORMATION

Dear Fellow Clerk:

Attached please find an application for a New York State Association of City and Village Clerks scholarship to attend the Certified Municipal Clerk Institute or master Municipal Clerk Academy at Cornell University. Follow the instructions below and send the completed application to:

> Randy Bond Village Clerk Village of Sands Point P. O. Box 188 Port Washington, NY 11050

If you have any questions, please feel free to contact me at 516-883-3044.

Sincerely,

Randy Bond NYSACVC Scholarship Committee

Instructions for Scholarship Application:

- 1. Complete the application form.
- 2. Attach a <u>brief resume</u>, including previous municipal positions, education, membership and length of time in all municipal associations, to the application.
- 3. Attach a <u>brief statement</u> to the application of why you want to attend the Institute or Academy.
- 4. Mail application to Scholarship Chairperson as soon as possible.

#### Please note:

The amount of each scholarship will be dependent on the number of successful applications.

All applications received after the deadline of June 1 will be placed on a waiting list.

You must be a member of both NYSACVC and IIMC for a minimum of one year to receive a scholarship.

## NEW YORK STATE ASSOCIATION OF

## CITY AND VILLAGE CLERKS

# APPLICATION FOR INSTITUTE/MMC



SCHOLARSHIP YEAR			
Name:	Title:		
Municipality:	Pc	Population:	
Address:			
Application for (Check One)	CMC MMC		
This is my year of a	attendance.		
Have you previously received	d a scholarship from NYSACVC	? When?	
Are you a member of NYSAC	CVC? If yes, numb	er of years	
Are you a member of IIMC?	If yes, number of	years	
Date: S	Signature:		
• • • • • • • • • • • • • • • • • • •	ed by the City or Village.	• • • • • • • • • • • • •	
	STATEMENT OF COMMITME	:NT	
\$, our municipal attendance at the IIMC Inst awarded for the year 20	is awarded a NYSACVC lity will assume all addition itute or MMC Academy over a	do hereby agree that i scholarship, in the amount of hal costs related to his or he han above the scholarship amount MMC Academy, including lodging dditional.	
Date:	Signature/Title:		
	• • • • • • • • • • • • • • • • • • •	d sign off.	

### **Borchert Receives MMC from IIMC**



Daniel P. Borchert, Village Clerk/Treasurer of the Village of Akron, earned the prestigious Master Municipal Clerk (MMC) designation from the International Institute of Municipal Clerks (IIMC).

The MMC is one of the two professional designations granted by IIMC. To qualify for entrance into the Master Municipal Clerk Academy (MMCA), which prepares participants for achieving the MMC status, one must

have earned the CMC designation. 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 Clerk by providing them with quality education in partnership with 47 institutions of higher learning.

The MMCA is an advanced continuing education program

that prepares participants to perform more complex municipal duties. The program has an extensive and rigorous educational component, a professional and social contributions component, and a commitment to lifelong learning. The Academy members must demonstrate that they have actively pursued educational and professional activities and have remained informed of current socio-political, cultural, and economic issues that affect local governments and municipalities.

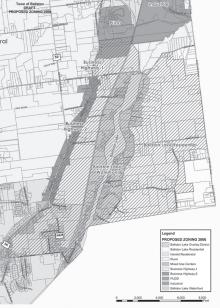
Founded in 1947, IIMC is a professional association with more than 10,000 members in the US, Canada and 15 other countries. IIMC's primary goal is to actively promote the continuing education and professional development of municipal clerks through extensive education programs, certification, recertification,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

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# 2010 Clerk of the Year: Joyce Jezewski, Village of East Aurora



Joyce Jezewski, Deputy Clerk/Treasurer of East-Aurora, was chosen as the 2010 recipient of the Clerk of the Year Award at the annual meeting of the New York State Association of City and Village Clerks held on September 21st in Lake Placid.

Joyce began her career in municipal government 32 years ago and continues to develop her professional skills and further her education by attending numerous seminars and schools pertinent to her municipal career. In addition, she has attended over 20 fall training schools and has been very involved at these schools by moderating, serving on panels and being a

member of several planning committees.

She has also been involved and participated in many associations such as the NYS Association of Local Government Records Officers...the Government Finance Officers Association...the NYS Association of Purchasing Officials...the Erie County Association of Villages...the Erie County Association of Municipal Officials... the Municipal Administrative Officers of Erie County (A Past

President)...the NYS Association of City and Village Clerks (A Past President) and the International Institute of Municipal Clerks, earning her Certified Municipal Clerk designation in 1987, making her the 40th Clerk to earn this title.

Joyce is also very civic minded and supports the United Way of Buffalo and Erie County, earning a certificate of recognition for all of her voluntary service to the community. She is also an active supporter of FISH (a local organization that provides a food pantry and clothing for persons in need.)

In summation, it was touted that Joyce embraces her profession as a Municipal Clerk with the same energy that she embraces life.

#### Advertise in The Bulletin!

For more information contact the Editor

jkoury@oneonta.ny.us

607.432.6450

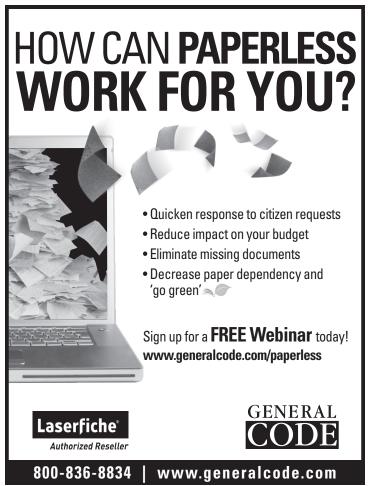
My fellow clerks, loyal friends and peers,

It is with deep gratitude and appreciation that I say a huge THANK YOU to the NYS Association of City and Village Clerks for selecting me as the 2010 Clerk of Year Award recipient. Never in my life have I been so surprised and honored. And, never have I been without words (it was short lived) the moment my name was mentioned, LOL.

From the person (Kim) who initiated the nomination, to my fellow clerks, friends and peers who took the time to write a letter on my behalf, to those folks who voted that I deserved this wonderful honor, to those folks who kept the 'secret', to Tammy who delivered an awesome presentation, and to my fellow NYS Association Clerks who guided me throughout my journey to be the best clerk I can be. Thanks for all of it.

Please share my thanks to all parties involved at the association level, in case I have forgotten anyone. I'm still floating on cloud 9, still lovin' my job (even though there is mound of paperwork after being out of the office last week) and blessed to have such wonderful people in my life.

Sincerely, Joyce





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## **Tidbits From Here and There**

#### North Country Clerks Meet

The North Country Clerks Association met on October 21, 2010 at the Adams Country Club. The speaker was Ronald Russell, a Public Works Wage Investigator from the NYS Dept. of Labor. He offered a very informative presentation regarding the prevailing wage requirements for municipalities. In addition, the following officers were presented for nomination and approved:

President: Geneva Phelps Miller, Clerk/Treasurer Village of Clayton

Vice President: Darlene Rexford, Clerk/Treasurer Village of Adams

Secretary: Annette West, Deputy Clerk/Treasurer Village of Brownville

Treasurer: Kristin Burroughs, Deputy Clerk Village of Black River

#### Correction

The names of the persons in the graduating class of the Cornell Municipal Clerk's Institute was ommitted from the Summer/Fall Issue.



Gradutes from left to right: Nancy Yoshii, Brenda Riehle, Tina Pemberton, Christie Murphy, Susie Jacobs, Valerie Onorato, Amber Bell & Christina Battalia

#### **IIMC Region I Meeting**

The IIMC Region I Meeting will be held March 24 - 25, 2011 at the Marriot in Quincy, MA. Cost and program to be announced. For further information, all interested can e-mail Region Director Linda Spence at l.spence@manchester-vt.gov.

#### **IIMC Annual Conference**

The 65th IIMC Annual Conference will be held May 8-12, 2011 in Nashville, TN. Information is available on line at www.iimc.com. All members should have received a mailing on the Nashville conference.

#### Patrick Farrell New NYSACVC Director

Patrick Farrell started his business career 25 years ago with



Merrill Lynch and then joined UBS/ Paine Webber managing over \$40 million of client assets as a Financial Planner. In 2003, Patrick was appointed Clerk-Treasurer for the Village of New Hyde Park (his beloved childhood Village). Patrick received a B.S. in Business Administration with a concentration in Finance and Marketing from SUNY Fredonia. It was at Fredonia where Patrick continued to pursue his love for music by studying Sound Recording Technology and Music Theory through his elective classes at the Fredonia School

of Music. Patrick is also President of the Long Island Village Clerks & Treasurers Association and is a Registered Municipal Clerk and newly elected Board member with the State of New York State Association of City and Village Clerks and a Certified Municipal Clerk by the International Institute of Municipal Clerks.

Patrick is also an entertainer who has released six Grammy contending albums (one solo album and five with America's # 1 Oktoberfest Band, die Schlauberger) He has recorded with Billy Joel's saxophonist Richie Cannata, Celine Dion's violinist Mark Wood, Marc Anthony's trombonist Ozzie Melendez, and has performed numerous times with 18 Time Grammy Award Winner Jimmy Sturr. Patrick's musical credits range from appearances on the "Dr. Oz Show", QVC Television, Fox Morning Show, an International I-Pod Commercial, Atlantic City's Taj Mahal & Tropicana, to singing the national Anthem several times at New York's Shea Stadium.

Patrick's is a Past Distinguished President and active member of the Kiwanis Club of New Hyde Park, Sigma Phi Epsilon, Knights of Columbus, Nassau County Big Brothers and Notre Dame Parish,

Patrick and his wife Kay reside in Garden City Park and are the proud parents of two children, Patrick "PJ" (9) and Sara (7)

## This and That From Bob

by Bob Freeman, Committee on Open Government



I would like to discuss some topics that are pertinent to municipal clerks. But before I get to them, I'd like to make sure that you can find answers to most questions involving the Freedom of Information Law (FOIL) or the Open Meetings Law (OML) on our website.

You can find it the long way, www. dos.state.ny.us/coog or the quick way by Googling the Committee on Open

Government. There is a tremendous amount of material on the website, including the text of FOIL and the OML, procedural regulations, model regulations, and frequently asked questions. Most important to many are the listings of written advisory opinions, which refer to opinions by means of key words or phrases. If, for example, you have a question about payroll information, go to the FOIL listing, click on to "P" and scroll down to "Payroll information." The opinions prepared since 1993 are highlighted and available in full text. If you can't find the opinion that you want that way, go back to the listing, and above the alphabet is a search box. By typing in the word or phrase that comes to mind, usually that will connect you with opinions that may be of value.

Now to some other issues...

#### Dog licenses/Names and addresses

Believe or not, I once got a call from someone (probably not a municipal clerk) who contended that the exception in FOIL concerning privacy applies to dogs. It doesn't, because the standard in the law involves "an unwarranted invasion of personal privacy." Although pets may be family members, a dog is not a person, and the privacy exception wouldn't apply. The public, however, does have the right to gain access about the licensee, including his/her name and address, whether, the dog has the appropriate shots, and the like. In my view, you may choose to withhold the licensee's home telephone number, but there is no obligation to do so.

We also received an inquiry from the "K-9" dog food company, which asked about access to a list of names and addresses of dog owners so that it could solicit their business and sell dog food. An example of an unwarranted invasion of personal privacy included in section 89(2)(b) of FOIL involves the sale or release of a list of names and addresses if the list would be used "for solicitation or fund-raising purposes." If it's clear that an applicant wants to use a list of names and residence addresses to contact residents to sell products or services to them, the list may be withheld. Again, it doesn't have to be withheld; it may be withheld.

But what if the purpose of the request is unclear? The provision concerning lists of names and addresses is the only instance in FOIL in which the purpose is relevant in deter-

mining rights of access. In all other instances, who they are, why they want a record, and what they intend to do with it, are irrelevant. In the case of the list of names and addresses, a relatively new provision allows you to require that the applicant certify in writing that the list will not be used for solicitation or fund-raising, nor will be it made available to anyone else for either of those purposes.

#### Picking up requested records

On occasion, people will request records, and you carry out your duties appropriately by locating and retrieving them, and notify the applicant that he/she can come to the office or inspect the records or pick up copies were requested. But what can you do if the applicant ignores you and fails to come in to inspect or pick up the records?

We have suggested that you contact the applicant, preferably in writing, indicate that the records are ready for inspection or pick up, and that if he/she does not do so with a particular time period, e.g., two weeks, his/her request will be considered to have been withdrawn. Also, if that person has asked for copies and has not paid for them, and he/she submits another request, you may indicate that the request will not be honored until the city or village is paid in full for the copies already prepared.

#### My Travels

In late September I visited San Luis Potosi (SLP), a state in Mexico, for the second time. Although access to records laws are common throughout the world, the concept of an open meetings law is largely limited to the United States. It seems, though, that the government and those interested in the government in SLP are considering enactment of an open meetings law there, and I was gratified to share our experience with them. I was also asked to discuss the use of libraries as a means of increasing the use of Mexican access to information laws, especially on the part of the poor. Libraries have the infrastructure, through the internet, needed to bring information to the smallest library in the smallest village, and librarians are no longer the people who say "ssshhh"; they are the information magicians, the people who have the skills to enable those without education or particular skills to obtain the resources necessary to improve their lives. It was a great experience!

Committee on Open Government One Commerce Plaza, 99 Washington Avenue, Suite 650, Albany, NY 12231 Telephone: (518) 474-2518 Fax: (518) 474-1927

The Committee on Open Government is responsible for overseeing and advising with regard to the Freedom of Information, Open Meetings and Personal Privacy Protection Laws (Public Officers Law, Articles 6, 7 and 6-A respectively).

# From the Department of Health

By Jim Meany



FAQ's on Officiants and other aspects of New York State Marriage Law.

Question: Should proof of age and identity be required?

Answer: Yes to both. An applicant should be asked to submit a current I.D and a birth record. The current I.D. should be in the form of a DMV-issued driver or non-driver's license,

passport, Government issued picture ID or an employment picture I.D. The name on this document should be entered on lines 1A and 11A of the marriage license. The birth record should provide exact spellings of names, age, exact date of birth, and parents' names. This surname, if different from the name on the current ID, is entered on lines 1B and 11B of the license. Our brochure, "Getting Married in New York State" has a list of recommended documents that can be used to demonstrate identity and age. You may require more or less documentation from couples. The law provides the issuing clerk with the authority and discretion to make any and all inquiries which are relevant to the issuance of a license. This includes but is not limited to examination of applicants and witnesses, administration of oaths, production of certified documentation, etc. You are given this discretion because it is your legal duty to ascertain that no legal impediment exists to issue a marriage license. You may reject an application if you discover, through your inquiries, that there is a legal reason why this marriage should not occur. We only advise that you be consistent with all your applicants and publicly post your prerequisites for issuing a marriage license.

Question: Who can perform a marriage ceremony and where can it take place?

Answer: A marriage ceremony must be performed by any of the individuals specified in Section 11 of New York State Domestic Relations Law. This includes mayors, marriage officers, clergy, justices and judges. The officiant does not have to be a resident of New York State and is not required to register with the State. The marriage ceremony must occur within the borders of New York State.

Question: Who determines if an officiant is legally authorized to perform a marriage ceremony?

Answer: This is a very common question and one which the registration unit cannot answer. The validation of an officiant, especially a religious officiant, is not within New York State's authority and we cannot make legal determinations in matters involving officiants. If the couple is concerned about the credentials of an officiant they should be advised to seek appropriate legal counsel.

Question: What are the responsibilities of the clerk when the

license is returned from the officiant?

Answers: 1) Verifies that the officiant's portion of the marriage certificate (items 26 through 28) is complete and accurate including the time and date that the marriage was solemnized, the place (City, Town or Village) where marriage occurred, type of ceremony, signature, title, date signed and mailing address; 2)Check for signatures of witnesses on marriage license (items 30 and 31). At least one witness signature is required by Law; 3) Make copy of original completed license to replace the partially completed licensed filed at time of purchase and send original license to the state. Do not mark or correct the original State copy; 4) Issue a one time only Certification of Marriage Registration within 15 days of receipt of the license from the officiant to the couple.

Question: What is a second or subsequent ceremony marriage license?

Answer: More than one marriage license can be issued to a couple either at the time of initial application or at later date. Each subsequent license issued to the couple is defined as a second or subsequent ceremony marriage license. Reasons why a couple may request a second or subsequent marriage ceremony license include renewing vows or a desire to place a New York license on file if the first marriage ceremony occurred out-of state. A license for a simultaneous ceremony may be requested if the couple have multiple officiants performing the ceremony, i.e. a priest and rabbi. In this case the parties decide which officiant signs the first license and which one signs the subsequent ceremony license. There is no limit to the number of officiants that can solemnize a marriage. When a second or subsequent license is issued, the box indicating a second or subsequent license is checked by the Clerk. All the items on the second or subsequent ceremony license are completed. There are several important differences between a 1st marriage ceremony license and a second or subsequent marriage ceremony license: (1) this license cannot be issued to a couple who were previously married and are currently divorced, (2) the second or subsequent ceremony does not require a 24 hour waiting period (3) the ceremony is not reported as a previous marriage and (4) the couple should produce proof to the Clerk that they are currently married.

Question: Who is entitled to a marriage record?

Answer: The bride and groom are entitled to a full copy. All others are entitled to certified transcript if they demonstrate to the satisfaction of the Clerk, a proper and judicial purpose. There is no definition of proper purpose but a marriage record cannot be released to satisfy idle curiosity or for commercial or profit making purposes. may keep an index of marriages for public viewing that lists only the names of the bride and groom, residence municipality and the date the license was purchased. (con't on page 14)



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Deirdre Jordan Regional Director Regional Director

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## From the State Archives: Loss of ROA's

by David Lowry

Since the inception of the Local Government Records Management Improvement Fund the New York State Archives staffed each regional office with one professional position, a Regional Advisory Officer (RAO), and one clerical position, a Regional Office Assistant (ROA.)

As many of you are already aware and as result of the Governor's recent workforce reduction plan, the positions of the State Archives' Regional Office Assistants (ROAs) were were targeted for elimination last year and the ROAs' last day of work was December 31, 2010. The ROAs provided invaluable assistance to both their RAO and to their constituents, and the ROAs were often the first point of contact for our local constituents. They were the friendly voice you heard when you called a regional office, and could often answer your basic questions and if they could not, would get a message to the RAO right away to contact you.

The loss of the ROAs has forced the Archives to change how it will deliver services and to cut back on certain services currently provided. The following are some changes you will see in the next few months:

• Since Regional Officers are often on the road, often no one will be available to answer your phone call. We encourage you to use email but if you need a question answered right away you can call our new Regional Services Coordinator in

Albany, Maggie Gonsalves, at 518-486-2858 or mgonsalv@ mail.nysed.gov who can answer your basic questions and send a message to the appropriate RAO.

- You may see fewer workshops offered in your region.
- We will no longer be able to provide workshop packets. When you register for a workshop you will receive a confirmation email with a copy of the workshop materials attached. You can print the materials and bring it with you to the workshop. (Also, we strongly encourage you to register for workshops directly on our website, www.archives.nysed. gov and then click on "workshops"
- Later this year we will introduce regularly scheduled Webinars as a new training tool
- Almost all State Archives' publications are available for download on our website or you can order paper copy through our website or by sending an email request to archpubs@mail.nysed.gov Regional offices will no longer be able to send you publications.

Although we must rethink how we do things, our number one goal is to still provide you with the best services we possibly can.

# 2010 Distinguished Service Award, Barbara VanEpps, NYCOM



Barbara VanEpps was presented with the 2010 Distinguished Service Award at the 2010 annual meeting of the New York State Association of City and Village Clerks held on September 21st in Lake Placid.

Barbara possesses a notable education, attaining a Bachelor of Arts

degree from the University of Binghamton. In addition, she earned a Masters of Public Administration from the University of Albany, Rockefeller College of Public Affairs and Policy.

Her impressive background includes serving in the office of the New York State Division of Budget as a Principal Budget examiner. During her 13-year tenure at the Division she worked primarily on local government issues and programs, including municipal taxes, distressed cities, public sector compensation/benefits and the Aid and Incentive for Municipalities program.

She joined the NYCOM staff in 2006 as the Director of Intergovernmental Finance and was promoted to Deputy Director in 2008. She assists in the overall administration of the association, is responsible for all areas of municipal

finance, and coordinates NYCOM's legislative advocacy efforts. Barbara's many accomplishments with the Conference of Mayors include authoring "Connect the Dots: A Blueprint for Revitalizing Our Communities and Our State," as well as developing NYCOM's highly successful public advocacy website. In addition, she has been instrumental in strengthening NYCOM's presence at the State Capitol, along with NYCOM's relationship with its largest city members.

To conclude, Barbara's vast knowledge and commitment has and will be of great benefit to us, our communities, and our association.

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For more information contact the Editor

jkoury@oneonta.ny.us

607.432.6450

# Hathaway Receives CMC



Lynn A. Hathaway, CMC - Clerk/Treasurer - Village of Keeseville, NY has earned the pretigious 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 mu-

nicipal clerks through extensive education programs, certification, 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.

#### From the Department of Health (con't from page 11)

Social security numbers are always removed unless there is specific authorization from the owner of the number.

Question: What should the clerk do if a marriage license is lost or missing?

Answer: Contact the Registration Unit at 518-474-8187.

## Calendar of Events

February 16, 2011: Long Island Village Clerks & Treasurers Association Membership Breakfast Meeting

February 27, 2011: NYSACVC Executive Committee Meeting, Albany Crowne Plaza Hotel

February 27-28, 2011: NYCOM Winter Legislative Meeting, Crowne Plaza, Albany

March 9, 2011: Long Island Village Clerks & Treasurers Association Membership Lunch Meeting

March 24-25, 2011: IIMC Region I Meeting, Marriott, Quincy, MA

March 31, 2011: Tug Hill Local Government Conference, Jefferson Community College, Watertown, NY.

April 13, 2011: Long Island Village Clerks & Treasurers Association Membership Lunch Meeting

April 14, 2011: Southern Tier Central Regional Leadership Conference, Corning Community College, Corning, NY.

April 29, 2011: NYSACVC Executive Committee Meeting, Sherwood Inn, Skaneateles

May 8 - 12, 2011: IIMC 65th Annual Conference, Nashville, TN

May 11, 2011: Southern Tier West Annual Local Government Conference, Houghton College, Houghton, NY.

May 24-26, 2011: NYCOM Annual Meeting, Saratoga Hilton, Saratoga Springs.

July 17-21, 2011: Cornell Municipal Clerks Institute

September 19-22, 2011: NYCOM Fall Training School, Hilton, Saratoga Springs

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 2010-2011

**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 Oyster Bay Cove (516) 922-1016 obcvillageclerk@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; Sheila Gillespie, Village of Cobleskill (518) 234-3891 sheilagillespie@midtel.net

**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 kemmet@nycap. rr.com; Donna Harris, Chairperson, Village of Oyster Bay Cove (516) 922-1016 obcvillageclerk@optonline.net

Education Development/CMCI: Daniel P. Borchert, Chairperson, Village of Akron (716) 542-9636 borchert@akronvillage.us; Louis DiDomenico, Village of Kings Point (516) 504-1000 ldidomenico@villageofkingspoint.org; Patrick Farrell, Village of New Hyde Park, (516) 354-0022 clerkpat@optonline.net

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 usclerk@verizion.net

**IIMC Liaison**: 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**: Sheila Gillespie, Chairperson, Village of Cobleskill (518) 234-3891 sheilagillespie@midtel.net; Patrick Farrell, Village of New Hyde Park, (516) 354-0022 clerkpat@optonline.net

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 Oyster Bay Cove (516) 922-1016 obcvillageclerk@optonline.net

RMC Program: Bonnie J. Page, Chairperson, Village of Speculator (518) 548-7354 speculat@frontiernet.netDaniel P. Borchert, Village of Akron (716) 542-9636 borchert@akronvillage.us; Patrick Farrell, Village of New Hyde Park, (516) 354-0022 clerkpat@optonline.net

**RMC Appeals Committee**: All Executive Committee Members

**Scholarship**: Randy Bond, Chairperson, Village of Sands Point (516) 883-3044 randy@sandspoint.org; Gloria A. Anderson, Village of Falconer (716) 665-4400 falconer@madbbs.com; Michael E. Stegmeier, Village of Lancaster (716) 683-2105 treasurer@lancastervillage.org

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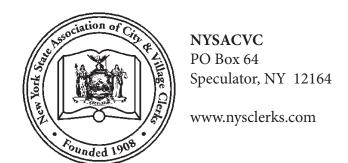
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