



**Minutes of the Government Records Council
March 31, 2015 – Closed Session**

The Council convened in closed session at 1:39 p.m. in Conference Room 129 of the Department of Community Affairs, Trenton, New Jersey. In attendance were: Robin Berg Tabakin, Esq. (Chairwoman), Denise Parkinson, Esq. (designee of Department of Education Commissioner David C. Hespe), and Dana Lane, Esq. (designee of Department of Community Affairs Commissioner Richard E. Constable, III).

Absent: Steven Ritardi, Esq. (Public Member)

In attendance by phone: Brian Tipton, Esq. (Outside Council)

Also in attendance were GRC Staff: Joseph Glover (Executive Director), Dawn R. SanFilippo, (Deputy Executive Director), Rosemond Bordzoe (Secretary), Frank F. Caruso (Senior Case Manager), John Stewart, (Mediator), Ernest Bongiovanni, (Staff Attorney), Husna Kazmir (Staff Attorney), Deputy Attorney General Debra Allen.

Ms. Parkinson made a motion, seconded by Ms. Lane, to go into closed session. The Council adopted the motion by a unanimous vote. Following the Council's vote, DAG Allen left the room due to a recusal issue.

The Council met in closed session pursuant to N.J.S.A. 10:4-12(b)(7) to receive legal advice and discuss anticipated litigation in which the public body may become a party in the following matters:

- Kevin M. Barry v. NJ Transit (2014-229)

Mr. Stewart introduced GRC Complaint No. 2014-229 to the Council. Ms. Tabakin requested Mr. Tipton's advice on how to proceed. Mr. Tipton provided the Council with his opinion on the proposed conclusions and suggested options. Based on Mr. Tipton's advice, Ms. Tabakin suggested certain revisions be made to the wording and that the complaint be tabled for consideration at the Council's next meeting. The Council then voted to table the complaint until Mr. Stewart could make the suggested changes.

Ms. Parkinson made a motion, seconded by Ms. Lane, to end the closed session. The Council adopted the motion by a unanimous vote. The closed session meeting concluded at 1:57 p.m.

Respectfully Submitted:

Robin Berg Tabakin, Esq., Chair

Date Approved: June 30, 2015