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DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
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JACQUELYN A. SUÁREZ
Commissioner

FINAL DECISION

December 9, 2025 Government Records Council Meeting

Gregory J. Puliti
Complainant

Complaint No. 2023-106

v.

Township of Lawrence (Mercer)
Custodian of Record

At the December 9, 2025, public meeting, the Government Records Council (“Council”) considered the December 2, 2025, Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that the Custodian did not unlawfully deny access to the instant OPRA request because the Custodian disclosed responsive e-mail chains and the Complainant failed to identify additional specific records he believed remained outstanding. N.J.S.A. 47:1A-6. Specifically, the Custodian certified, and the record reflects, that the Township provided all responsive records. See Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St., PO Box 006, Trenton, NJ 08625-0006. Proper service of submissions pursuant to any appeal is to be made to the Council in care of the Executive Director at the State of New Jersey Government Records Council, 101 South Broad Street, PO Box 819, Trenton, NJ 08625-0819.

Final Decision Rendered by the
Government Records Council
On The 9th Day of December 2025

John A. Alexy, Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: December 11, 2025



**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Findings and Recommendations of the Executive Director
December 9, 2025 Council Meeting**

**Gregory J. Puliti¹
Complainant**

GRC Complaint No. 2023-106

v.

**Township of Lawrence (Mercer)²
Custodial Agency**

Records Relevant to Complaint: Electronic copies via e-mail of: “records where [Brian M. Slaugh’s] business relationship with the [Township of Lawrence’s (“Township”)] was discussed (specifically regarding the discontinuation of his services) and records regarding the Administration’s concerns that Mr. Slaugh may have had an ethical conflict while under contract” for the time period of January 2020 until present, including “any and all Council meeting minutes and audio recordings of (open or closed session) meetings,” “any and all correspondence or e-mails to Council,” and “any and all correspondence or e-mails to Mr. Slaugh or the firm Clarke Caton Hintz (“the Firm”).”

Custodian of Record: Tonya D. Carter

Request Received by Custodian: March 7, 2023

Response Made by Custodian: March 15, 2023; March 31, 2023

GRC Complaint Received: May 11, 2023

Background³

Request and Response:

On March 7, 2023, the Complainant submitted an Open Public Records Act (“OPRA”) request to the Custodian seeking the above-mentioned records. On March 15, 2023, the sixth (6th) business day after receipt of the OPRA request, the Custodian responded in writing disclosing responsive records and indicated that no responsive meeting minutes or audio recordings exist. On March 22, 2023, the Complainant replied stating that the Custodian’s response was incomplete as he believed more records regarding Mr. Slaugh’s termination existed. The Complainant stated that his OPRA request sought “information regarding the reason that prompted” the Township to terminate its relationship with Mr. Slaugh, which should exist based on statements made in the e-mails already disclosed to him, and “any and all records that document” the Township’s

¹ No legal representation listed on record.

² Represented by David M. Roskos, Esq., and Karlee M. Martin, Esq., of Eckert Seamans, LLC (Lawrenceville, NJ).

³ The parties may have submitted additional correspondence or made additional statements/assertions in the submissions identified herein. However, the Council includes in the Findings and Recommendations of the Executive Director the submissions necessary and relevant for the adjudication of this complaint.

conversations regarding this matter. On the same day, the Custodian responded in writing that she forwarded the Complainant's response to the Municipal Manager for review.

On March 31, 2023, the Complainant followed up in writing seeking a status update on disclosure of additional responsive documents. On the same day, the Custodian responded that she again forwarded the March 15, 2023 e-mail to the Municipal Manager. Later that day, the Custodian e-mailed the Complainant stating that the Township was not aware of any additional responsive records other than those previously disclosed on March 15, 2023. The Custodian also asked the Complainant to identify specific records or documents he believed existed to assist the Township in a renewed and/or expanded search to supplement the Township's response to the instant OPRA request.

Denial of Access Complaint:

On May 11, 2023, the Complainant filed a Denial of Access Complaint with the Government Records Council ("GRC"). The Complainant asserted that the Custodian's response was incomplete because the three (3) disclosed e-mail chains on March 15, 2023, did not encompass the full scope of his request. The Complainant specified that he was denied access to "records regarding the Administration's concerns that Mr. Slaugh or his firm may have had an ethical conflict" and "records indicating there was formal action taken by the [Township] Council to terminate a 2021 public contract with Mr. Slaugh or [the Firm]."

The Complainant stated that his OPRA request sought information, in whatever form, to determine whether there was an official recorded action by the Township to terminate the 12-month public contract with the Firm after only two (2) months. The Complainant stated that e-mails disclosed to him alluded to the existence of additional information and documents related to Mr. Slaugh's termination. The Complainant stated that he e-mailed the Custodian on March 22, 2023, explaining that he sought "documented information for the reason" the Firm's public contract with the Township's Zoning Board ended, inclusive of records evidencing the reason suggested to the Council for terminating Mr. Slaugh's services. The Complainant stated that the Custodian subsequently responded by asserting that no additional records existed.

The Complainant asserted that it was evident from the disclosed e-mails that the Township had concerns with the Firm, and that those concerns were the main reason the Firm's public contract was canceled. The Complainant stated that the portion of the disclosed e-mails saying "it is only problematic if we decide to make it a problem" indicates that the reason for Mr. Slaugh's termination could be "problematic." The Complainant maintained that his original request did specify that he sought information to determine the "reason" for ending the contract with the Firm. The Complainant established that he was attempting to determine via OPRA whether the Township fairly awarded public affordable housing subsidies without influence or persuasion.

Statement of Information:

On June 13, 2023, the Custodian filed a Statement of Information ("SOI"). The Custodian certified that she received the Complainant's OPRA request on March 7, 2023. The Custodian certified that her search included records regarding Mr. Slaugh's termination of services ranging

from January 2020 to present, Council meeting minutes and audio records, correspondence or e-mails to Council, and correspondence or e-mails to Mr. Slaugh and the Firm. The Custodian certified that she responded in writing on March 15, 2023, disclosing three (3) e-mail chains (and attachments) responsive to the OPRA request and stated that Council meeting minutes or audio recording regarding Mr. Slaugh's termination do not exist.

The Custodian maintained that she disclosed all identifiable records responsive to the instant OPRA request in her March 15, 2023 response. The Custodian stated that after further correspondence with the Complainant and additional search efforts, no additional responsive records exist despite the Complainant's follow-up correspondence insisting on the existence of additional records. The Custodian, citing MAG Entm't, LLC v. Div. ABC, 375 N.J. Super. 534, 546 (App. Div. 2005) and Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 37 (App. Div. 2005), argued that agencies are required to disclose only "identifiable" government records not otherwise exempt. The Custodian stated that she asked the Complainant to provide knowledge or information regarding a specific record or document the Township has not produced so it could renew and/or expand their search. The Custodian argued that, notwithstanding this offer, the Complainant provided no additional information. The Custodian argued that no unlawful denial of access occurred under OPRA because all responsive records were disclosed and no other responsive records exist.

Analysis

Unlawful Denial of Access

OPRA provides that government records made, maintained, kept on file, or received by a public agency in the course of its official business are subject to public access unless otherwise exempt. N.J.S.A. 47:1A-1.1. A custodian must release all records responsive to an OPRA request "with certain exceptions." N.J.S.A. 47:1A-1. Additionally, OPRA places the burden on a custodian to prove that a denial of access to records is lawful pursuant to N.J.S.A. 47:1A-6.

In Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010), the Council found that the custodian did not unlawfully deny access to the requested records based on the custodian's certification that all such records were provided to the complainant. The Council held that the custodian's certification, in addition to the lack of refuting evidence from the complainant, was sufficient to meet the custodian's burden of proof. See also Burns v. Borough of Collingswood, GRC Complaint No. 2005-68 (September 2005); Holland v. Rowan Univ., GRC Complaint No. 2014-63, *et seq.* (March 2015).

In the instant matter, the Complainant's OPRA request sought in part any and all correspondence and e-mails between the Administration and Mr. Slaugh, the Firm, or the Council related to the termination of the business relationship. The Custodian certified that she responded in writing on March 15, 2023, disclosing three (3) responsive e-mail chains regarding Mr. Slaugh's termination of services. The Custodian certified that the records provided were the only records the Township had in response to the instant OPRA request and specifically stated that audio recordings and Council meeting minutes related to this request do not exist. Additionally, the Custodian informed the Complainant that if he had any additional information or could identify

specific government records, the Custodian would expand the search to locate other potentially responsive records. However, the Complainant did not provide any additional clarity to assist the Custodian to perform a more targeted search.⁴ The Complainant failed to present any evidence that the Township possessed additional records other than what was disclosed on March 15, 2023.

Accordingly, the Custodian did not unlawfully deny access to the instant OPRA request because the Custodian disclosed responsive e-mail chains and the Complainant failed to identify additional specific records he believed remained outstanding. N.J.S.A. 47:1A-6. Specifically, the Custodian certified, and the record reflects, that the Township provided all responsive records. See Danis, GRC 2009-156, *et seq.*

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that the Custodian did not unlawfully deny access to the instant OPRA request because the Custodian disclosed responsive e-mail chains and the Complainant failed to identify additional specific records he believed remained outstanding. N.J.S.A. 47:1A-6. Specifically, the Custodian certified, and the record reflects, that the Township provided all responsive records. See Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).

Prepared By: Maria M. Rossi
Staff Attorney

December 2, 2025

⁴ The GRC notes that the portion of the Complainant's OPRA seeking "records" regarding the Township's contract termination is invalid on its face because it would require research of the Township's records. MAG Entm't, LLC v. Div. of ABC, 375 N.J. Super. 534 (App. Div. 2005); Feiler-Jampel v. Somerset Cnty. Prosecutor's Office, GRC Complaint No. 2007-190 (Interim Order dated March 26, 2008).