



## **Minutes of the Government Records Council October 26, 2010 – Closed Session**

The Council convened in closed session at 10:09 a.m. in Conference Room 129 of the Department of Community Affairs, Trenton, New Jersey. In attendance were: Robin Berg Tabakin, Deborah E. Bleisnick (designee of Acting Commissioner Rochelle Hendricks, Department of Education), Charles Richman (designee of Department of Community Affairs Commissioner Lori Grifa), and Stacy Spera (designee of Department of Community Affairs Commissioner Lori Grifa for the sole purpose of the Caggiano complaint adjudications).

Also in attendance were GRC Staff: Executive Director Catherine Starghill, GRC Staff Secretary Brigitte Hairston, and Deputy Attorney General Debra Allen.

A motion was made by Ms. Spera and seconded by Ms. Bleisnick to go into closed session. The motion was adopted by a unanimous vote.

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:

1. Thomas Healy v. NJ Department of Labor & Workforce Development (2008-108) In Camera Review  
The Council reviewed the unredacted records and the Executive Director's recommendations based on the *in-camera review*. The Council members discussed the recommendations.
2. Stanley Baker, Jr. v. NJ Civil Service Commission (2009-253) In Camera Review  
The Council reviewed the unredacted records and the Executive Director's recommendations based on the *in-camera review*. The Council members discussed the recommendations.
3. Thomas Caggiano v. Sussex County Prosecutor's Office (2010-211)  
The Council discussed the novelty of using the frivolous litigation doctrine in adjudicating Denial of Access Complaints and the special circumstances surrounding this matter.
4. Thomas Caggiano v. NJ Government Records Council (2010-212)
5. Thomas Caggiano v. NJ Government Records Council (2010-213)  
These matters were discussed in *tantem*. The Council discussed the special circumstances and potential conflict of interest resolutions recommended by the

Division of Law and the Executive Director. Ultimately, these matters were removed from the agenda by the Executive Director for further consideration.

A motion was made by Ms. Spera and seconded by Ms. Bleisnick to end the closed session. The motion was adopted by a unanimous vote.

The closed session meeting concluded at 10:40 a.m.

Respectfully Submitted:

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Charles Richman, Secretary

Date Approved: November 30, 2010