



Minutes of the Government Records Council March 25, 2014 – Closed Session

The Council convened in closed session at 1:40 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 Chris Cerf), and Dana Lane, Esq. (designee of Department of Community Affairs Commissioner Richard E. Constable, III) and Steven Ritardi, Esq. (public member).

Also in attendance were GRC Staff: Dawn R. SanFilippo, Esq. (Senior Counsel), Rosemond Bordzoe (Secretary), Frank F. Caruso (Senior Case Manager), John Stewart, Esq. (Mediator), Tim Sharkey, Esq. (Staff Attorney), Samuel Rosado, Esq. (Staff Attorney), and Deputy Attorney General Debra Allen.

Ms. Parkinson made a motion and Ms. Lane seconded the motion to go into closed session. The Council adopted the motion 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:

- Robert D. Yackel v. Township of Edison (Middlesex) (2013-227) (ICFR) (*Pulled from Agenda*)
- Richard P. Cushing v. Washington Twp. Fire District No. 1 (Warren) (2013-229) (*Pulled from Agenda*)
- Jeff Carter v. Franklin Fire District No. 2 (Somerset) (2011-228)
- Jeff Carter v. Franklin Fire District No. 2 (Somerset) (2011-262)

Mr. Caruso introduced GRC Complaint No. 2013-227. DAG Allen discussed her interpretation of the document reviewed *in camera*. Chairwoman Tabakin requested advice on how the Council might rectify DAG Allen's interpretation and Mr. Caruso's analysis of the document. DAG Allen suggested a few options and requested that the matter be tabled for additional review. The Council agreed to table the matter for further review.

Mr. Sharkey, Esq., introduced GRC Complaint No. 2013-229. The Council received advice from DAG Allen and agreed to table the matter for further review.

Ms. SanFilippo, Esq., introduced GRC Complaint Nos. 2011-228 and 2011-262 to the Council. The Council discussed its issues with the proposed recommendations and received advice from DAG Allen. The Council deliberated on the implications of these decisions on future fee applications. The Council then allowed the Findings and Recommendations for both complaints to go for a vote in open session.

Ms. Parkinson made a motion and Ms. Lane seconded the motion to end the closed session. The Council adopted the motion by a unanimous vote.

The closed session meeting concluded at 2:45 p.m.

Respectfully Submitted:

Robin Berg Tabakin, Esq., Chair

Date Approved: April 29, 2014