



## **Minutes of the Government Records Council September 30, 2014 – Closed Session**

The Council convened in closed session at 11:00 a.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 Steven Ritardi, Esq. (public member).

Absent: Dana Lane, Esq. (designee of Department of Community Affairs Commissioner Richard E. Constable, III)

Also in attendance were GRC Staff: Dawn R. SanFilippo, Esq. (Acting Executive Director), 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 Mr. Ritardi 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:

- Jeff Carter v. Franklin Fire District No. 2 (Somerset) (2012-5)
- Michael Doss v. Borough of Paramus (Bergen) (2014-149)

DAG Debra Allen introduced GRC Complaint No. 2012-5 to the Council. DAG Allen updated the Council on recent work done and advised on the AG's strategy going forward. Mr. Ritardi sought clarification on the issue of custodians failing to respond to complaints.

DAG Debra Allen introduced GRC Complaint No. 2014-149 to the Council. Mr. Caruso discussed precedential case law regarding cases involving requests for e-mails and correspondence. The Council discussed its issues with proposed recommendation. The Council agreed to table this case for next meeting.

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

The closed session meeting concluded at 11:40 a.m.

Respectfully Submitted:

---

Robin Berg Tabakin, Esq., Chair

Date Approved: January 30, 2015