



**Minutes of the Government Records Council
January 30, 2015 – 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 David C. Hespe) and Dana Lane, Esq. (designee of Department of Community Affairs Commissioner Richard E. Constable, III), and Steven Ritardi, Esq. (Public Member)

In attendance by phone: Katharine Fina, Esq. (Outside Council)

Also in attendance were GRC Staff: Dawn R. SanFilippo, Esq. (Deputy Executive Director), Rosemond Bordzoe (Secretary), Frank F. Caruso (Senior Case Manager), John Stewart, Esq. (Mediator), Ernest Bongiovanni, 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:

- Thomas E. Ciccarone v. NJ Department of Treasury (2013-280)
- David Cavagnaro v. Borough of Point Pleasant Beach (Ocean) (2014-197)
- Allan Johnson v. Borough of Oceanport (Monmouth) (2007-107)

DAG Allen left the meeting room due to a recusal in GRC Complaint No. 2013-280.

Mr. Stewart introduced GRC Complaint No. 2013-280 to the Council. Mr. Ritardi had a question about certain records believed to be provided. Ms. Fina consented to the decision as written.

Ms. Fina left the meeting at 1:45 p.m. and DAG Allen returned.

Mr. Caruso introduced GRC Complaint No. 2014-197 to the Council. DAG Allen provided the Council with her opinion of the proposed conclusions. The Council consented to the decision as written.

Mr. Caruso introduced GRC Complaint No. 2007-107 to the Council and provided a background regarding past discussion on the issue. Council reviewed the proposed response and suggested a change to the closing sentence. DAG Allen provided advice to the Council regarding whether the proposed response was subject to appeal. Council consented to the response with minor changes.

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 2:02 p.m.

Respectfully Submitted:

Robin Berg Tabakin, Esq., Chair

Date Approved: February 24, 2015