



**Minutes of the Government Records Council
May 22, 2018 – Closed Session**

The Council convened in closed session at 1:36 p.m. in Conference Room 129 of the Department of Community Affairs, Trenton, New Jersey. In attendance were: Christopher Huber, Esq. (designee of Department of Education Acting Commissioner Dr. Lamont Repollet), Jason Martucci, Esq. (designee of Department of Community Affairs Commissioner, Lt. Governor Sheila Y. Oliver), and Steven Ritardi, Esq. (Public Member)

Absent: Robin Berg Tabakin, Esq. (Chairwoman),

Also in attendance were GRC Staff: Frank F. Caruso (Communications Specialist/Resource Manager), Rosemond Bordzoe (Secretary), John Stewart (Mediator), Samuel Rosado (Staff Attorney), and Deputy Attorney General Debra Allen.

Mr. Caruso advised the Council that the following matters should be removed from the closed session resolution due to lack of quorum:

- Nicole Dory, Esq. (o/b/o Shipyard Associates, L.P.) v. City of Hoboken (Hudson) (2014-200) (SR Recusal)
- Sacha Pouliot v. NJ Department of Education (2015-281) (CH Recusal)

Mr. Ritardi called for a motion to go into closed session as amended. Mr. Martucci made a motion, which was seconded by Mr. Huber. 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:

- Jason Marshall Litowitz v. NJ Department of Transportation (2015-301) (ICFR)
- Luis F. Rodriguez v. Kean University (2016-159) (ICFR)
- Scheeler v. Atlantic Cnty. Mun. Joint Ins. Fund, 2018 N.J. Super. LEXIS 79 (App. Div. 2018)

Mr. Rosado introduced GRC Complaint No. 2015-301 to the Council. The Council reviewed records *in camera* and agreed with the proposed findings and recommendations as written.

Mr. Caruso introduced GRC Complaint No. 2016-159 to the Council. The Council reviewed the responsive record *in camera*. The Council sought and received legal advice from DAG Allen regarding the record. The Council agreed with the proposed findings and recommendations as written.

Mr. Caruso introduced Scheeler v. Atlantic Cnty. Mun. Joint Ins. Fund, 2018 N.J. Super. LEXIS 79 (App. Div. 2018) to the Council. Mr. Caruso asked the Council for their input on the decision. DAG Allen provided legal advice regarding the Council's adjudication of complaints filed by out-of-state requestors.

Mr. Ritardi called for a motion to end the closed session. Mr. Huber made a motion, which was seconded by Mr. Martucci. The Council adopted the motion by a unanimous vote. The closed session meeting concluded at 2:02 p.m.

Respectfully Submitted:

Steven Ritardi, Esq., Secretary

Date Approved: June 26, 2018