



**Minutes of the Government Records Council
July 31, 2018 – Closed Session**

The Council convened in closed session at 1:42 p.m. in Conference Room 129 of the Department of Community Affairs, Trenton, New Jersey. In attendance were: Robin Berg Tabakin, Esq. (Chairwoman), Jennifer Simons, Esq. (designee of Department of Education 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), who participated telephonically.

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.

Ms. Berg Tabakin called for a motion to go into closed session. Mr. Martucci made a motion, which was seconded by Ms. Simons. 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:

- Josephine V. Mella v. Passaic County Prosecutor's Office (2016-217)

Mr. Caruso introduced GRC Complaint No. 2016-217 to the Council. The Council discussed whether the records at issue qualified under the criminal investigatory records exemption. Mr. Martucci inquired as to whether there are guidelines or advisory opinions available to categorize the records. DAG Allen provided legal advice regarding the Council's comments. The Council agreed to table this matter for further review.

Ms. Berg Tabakin called for a motion to end the closed session. Mr. Martucci made a motion, which was seconded by Ms. Simons. The Council adopted the motion by a unanimous vote. The closed session meeting concluded at 1:49 p.m.

Respectfully Submitted:

Robin Berg Tabakin, Esq., Chair

Date Approved: August 28, 2018