



**Minutes of the Government Records Council
October 30, 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).

***** Steven Ritardi 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:

- Luis F. Rodriguez v. Kean University (2015-338)
- Adam M. Szura v. Bergen County Department of Health Services (2016-175)
- Alan Arthur De Smet v. NJ Motor Vehicle Commission (2016-267)
- Alan Arthur De Smet v. NJ Motor Vehicle Commission (2016-268) **Consolidated**

Mr. Rosado introduced GRC Complaint No. 2015-338 to the Council. The Council reviewed the records at issue here *in camera* and agreed with the conclusions as written.

Mr. Caruso introduced GRC Complaint No. 2016-175 to the Council. The Council reviewed the records at issue here *in camera* and agreed with the conclusions as written.

Mr. Caruso introduced GRC Complaint Nos. 2016-267 and 2016-268 to the Council. Mr. Caruso provided the core issue regarding the record sought to the Council. The Council provides comment on its interpretation of the issue, and whether additional analysis may be required. The Council sought legal advice from DAG Allen, who provided additional information on the more nuanced issues within the complaint. The Council agreed that this consolidated complaint should be tabled for additional review.

Ms. Berg Tabakin called for a motion to end the closed session. Ms. Simons made a motion, which was seconded by Mr. Martucci. The Council adopted the motion by a unanimous vote. The closed session meeting concluded at 2:15 p.m.

Respectfully Submitted:

Robin Berg Tabakin, Esq., Chair

Date Approved: November 13, 2018