



**Minutes of the Government Records Council  
August 30, 2022 – Closed Session**

The Council convened in closed session at 1:46 p.m. telephonically. In attendance were Robin Berg Tabakin, Esq. (Chairwoman), Jennifer Killough-Herrera, Esq. (designee of Department of Education Acting Commissioner, Dr. Angelica Allen-McMillan), John Alexy (designee of Department of Community Affairs Commissioner, Lt. Governor Sheila Y. Oliver), and Steven Ritardi, Esq. (Public Member).

Also, in attendance were GRC Staff: Frank F. Caruso (Executive Director), 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. Ritardi made a motion, which was seconded by Mr. Alexy. 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) and N.J.A.C. 5:105-2.8(g) to review records *in camera* and receive legal advice in the following matters:

- David O’Sullivan v. Borough of Montvale (Bergen) (2019-193) *In Camera* Review (N.J.A.C. 5:105-2.8(g)).
- Jennifer Bondarew v. Township of Howell (Monmouth) (2020-54) *In Camera* Review (N.J.A.C. 5:105-2.8(g)).
- Daniel Z. Rivlin, Esq. (o/b/o American Airlines, Inc.) v. Port Authority of NY & NJ (2020-72) Legal Advice (N.J.S.A. 10:4-12(b)(7)).

Mr. Caruso introduced GRC Complaint No. 2019-193. The Council reviewed the records *in camera* and agreed to the conclusions as written.

Mr. Caruso introduced GRC Complaint No. 2020-54. The Council reviewed the records *in camera* and agreed to the conclusions as written.

Mr. Caruso introduced GRC Complaint No. 2020-72 and stated that the Council sought legal advice on the issues presented in that complaint. Ms. Berg-Tabakin asked DAG Allen to comment on said issue and conduct research as a precautionary measure to determine if the proposed conclusions were legally sound. Mr. Caruso also noted that there existed prior District Court case law on the issue. The Council agreed to table this matter for additional legal review.

Ms. Berg Tabakin called for a motion to end the closed session. Mr. Ritardi made a motion, which was seconded by Ms. Killough-Herrera. The Council adopted the motion by a unanimous vote. The closed session meeting concluded at 2:01 p.m.

Respectfully Submitted:

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Robin Berg Tabakin, Esq., Chair  
Date Approved: September 29, 2022