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JACQUELYN A. SUÁREZ
Commissioner

NOTICE OF MEETING
Government Records Council
October 6, 2025

Pursuant to the Open Public Meetings Act, notice is hereby given that the Government Records Council will hold a regular meeting, at which formal action may be taken, commencing at 1:30 p.m., Monday, October 6, 2025, via Office Teams. Members of the public may attend the meeting by utilizing the following call-in information:

Telephone Number: 1-856-338-7074
Conference ID: 126 639 081#

The agenda, to the extent presently known, is listed below. The public session and consideration of cases is expected to commence at 1:30 p.m. remotely.

I. Public Session:

Call to Order
Pledge of Allegiance
Meeting Notice
Roll Call

II. Executive Director's Report

III. Closed Session

IV. Approval of Minutes of Previous Meetings:

August 26, 2025 Open Session Meeting Minutes

V. New Business – Cases Scheduled for Consent Agenda Administrative Complaint Disposition Adjudication *

An “Administrative Complaint Disposition” means a decision by the Council as to whether to accept or reject the Executive Director’s recommendation of dismissal based on jurisdictional, procedural or other defects of the complaint. The Executive Director’s recommended reason for the Administrative Disposition is under each complaint below.

A. Administrative Disposition Adjudications with Recusals (Consent Agenda):

1. John S. Hilkevich v. NJ Department of Corrections (2022-300) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**

2. Miguel Ramos v. NJ Department of Corrections (2022-531) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
3. Patrick Bender v. Morris County Sheriff's Office, Bureau of Corrections (2022-656) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
4. Bianca Barber v. City of Newark (Essex) (2025-9) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
5. Jennie Santiago v. City of Jersey City, Division of City Planning (Hudson) (2025-12) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
6. David J. Durling v. NJ Department of Corrections (2025-135) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
7. David J. Durling v. NJ Department of Corrections (2025-199) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
8. Michael Stevens v. County of Hudson (2025-260) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**

B. Administrative Disposition Adjudications with no Recusals (Consent Agenda):

1. Anne Vukicevich v. County of Burlington (2023-167)
 - All Records Responsive Provided in a Timely Manner.
 2. Anne Vukicevich v. County of Burlington (2023-293)
 - No Correspondence Received by the Custodian.
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| <ol style="list-style-type: none"> 3. Frank James v. Borough of Carteret (Middlesex) (2025-174) 4. Frank James v. Borough of Carteret (Middlesex) (2025 183) CONSOLIDATED <ul style="list-style-type: none"> • Anonymous Complaints Not Permitted. |
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| <ol style="list-style-type: none"> 5. Regina Foran v. Borough of Carteret (Middlesex) (2025-200) 6. Regina Foran v. Borough of Carteret (Middlesex) (2025-219) 7. Regina Foran v. Borough of Carteret (Middlesex) (2025-248) CONSOLIDATED <ul style="list-style-type: none"> • Anonymous Complaints Not Permitted. |
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8. Chris Krol v. City of Camden (Camden) (2025-226)
 - Motion to File Within Time Denied.
 9. Robert Feliz Betancourt v. Bayonne Housing Authority (Hudson) (2025-229)
 - Unripe Cause of Action.

C. Administrative Disposition Uncontested, Voluntary Withdrawals by Complainant (No Adjudication of the Council is Required):

1. Jacques Guire III v. Borough of West Long Branch (Monmouth) (2025-73)
 - Complaint Settled in Mediation.
2. Jascie Mendez v. City of Newark (Essex) (2025-161)
 - Complaint Voluntarily Withdrawn.
3. Ramon Irurita v. Vineland Police Department (Cumberland) (2025-168)
 - Complaint Voluntarily Withdrawn.
4. Peter Greenfield v. NJ Department of Corrections (2025-184)
 - Complaint Settled in Mediation.

5. Brian F. McBride v. Linwood Public Schools (Atlantic) (2025-204)
 - Complaint Voluntarily Withdrawn.
6. Christopher T. Howell, Esq. (o/b/o Luvoyda Stevens) v. City of Newark (Essex) (2025-216)
 - Complaint Voluntarily Withdrawn.
7. Jacqueline Dilks-Brotman v. Township of Haddon (Camden) (2025-223)
 - Complaint Voluntarily Withdrawn.
8. Kevin Kearns v. Borough of New Milford (Bergen) (2025-236)
 - Complaint Voluntarily Withdrawn.
9. John M. Codd v. Town of Kearny (Hudson) (2025-239)
 - Complaint Voluntarily Withdrawn.
10. Jon Lazar v. Montclair State University Police Department (2025-240)
 - Complaint Voluntarily Withdrawn.
11. Cooper Roberts v. Township of Union (Union) (2025-253)
 - Complaint Settled in Mediation.

VI. New Business – Cases Scheduled for Consent Agenda Administrative Order

An “Administrative order” means an order issued by the Council requiring the records custodian or the complainant to perform a specific action in furtherance of the adjudication of a pending denial of access complaint or taking other actions deemed appropriate to adjudicate a complaint in an expedited manner. The Executive Director’s recommended reason for the Administrative Order is under each complaint below.

A. Administrative Orders with Recusals (Consent Agenda):

1. Dan Halper v. Rutgers University (2023-141) (**RC & SR Recusal**)
 - **Cannot be adjudicated due to lack of quorum.**

B. Administrative Orders with No Recusals (Consent Agenda):

1. Scott Madlinger v. Berkeley Township Police Department (Ocean) (2024-99)
 - *In Camera* Review.

VII. New Business – Cases Scheduled for Individual Complaint Adjudication

The Executive Director’s recommended action is under each complaint below.

A. Individual Complaint Adjudications with Recusals:

1. Perrault Jean Paul v. City of Jersey City (Hudson) (2022-317) (**SR Recusal**)
 - **Cannot be adjudicated due to lack of quorum.**
2. Kevin Lawrence Conley v. County of Hudson (2022-438) (**SR Recusal**)
 - **Cannot be adjudicated due to lack of quorum.**
3. Scott Madlinger v. City of Jersey City (Hudson) (2022-525) (**SR Recusal**)
 - **Cannot be adjudicated due to lack of quorum.**
4. Andre Graves-Byrd v. NJ Department of Corrections (2022-608) (**SR Recusal**)
 - **Cannot be adjudicated due to lack of quorum.**

5. Brian Scott Morton v. NJ Civil Service Commission (2023-138) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
6. John Paff v. Township of Edison (Middlesex) (2023-168) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
7. John Paff v. City of Jersey City (Hudson) (2023-252) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
8. Vincent Dixon v. City of Hoboken (Hudson) (2023-296) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
9. James Butler v. Borough of Caldwell (Essex) (2025-85) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
10. Maria Diamonte v. Rutgers University (2022-355) **(RC & SR Recusals)**
 - **Cannot be adjudicated due to lack of quorum.**
11. Maria Diamonte v. Rutgers University (2022-388) **(RC & SR Recusals)**
 - **Cannot be adjudicated due to lack of quorum.**
12. Maria Diamonte v. Rutgers University (2022-398) **(RC & SR Recusals)**
 - **Cannot be adjudicated due to lack of quorum.**

B. Individual Complaint Adjudications with no Recusals:

1. Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Mendham Police Department (Morris) (2022-290)
 - The Custodian's response was insufficient because she failed to address each OPRA request item individually. N.J.S.A. 47:1A-5(g); Paff v. Willingboro Bd. of Educ. (Burlington), GRC Complaint No. 2007-272 (May 2008).
 - The Custodian did not unlawfully deny access to the portion of the Complainant's OPRA request seeking disclosable personnel information because all records were disclosed. Owoh, Esq. (O.B.O. AADARI) v. Voorhees Twp. Police Dep't (Camden), GRC Complaint No. 2022-12 (March 2024).
 - The Custodian unlawfully denied access to the requested settlement agreements and must disclose them to the Complainant. N.J.S.A. 47:1A-6; Libertarians for Transparent Gov't v. Cumberland Cnty., 250 N.J. 46 (2022).
 - The Complainant is a prevailing party.
2. Lavenia Banas v. Cinnaminson Township (Burlington) (2023-61)
 - The Custodian did not deny access to the records that Complainant asserted were at issue because she did not request them. Burns v. N.J. Dep't of State, Div. of Elec., GRC Complaint No. 2013-64 (September 2013). Thus, this complaint should be dismissed.
3. Katia De Jesus Sanci v. Secaucus Police Department (Hudson) (2023-70)
 - The Custodian lawfully denied access to OPRA request item No. 1 seeking investigation reports during her employment under OPRA and the Internal Affairs Policy and Procedures. O'Shea v. Twp. of West Milford, 410 N.J. Super. 371, 382 (App. Div. 2009); Rivera v. Union Cnty. Prosecutor's Office, 250 N.J. 124, 142 (2022).
 - The Custodian lawfully denied access to OPRA request item No. 2 seeking a transcript because he certified, and the record reflects, that no records exist. Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005).

4. *Rebeka Harms v. Borough of Manville (Somerset) (2023-73)*
 - The Custodian's failure to submit an SOI resulted in a violation of N.J.A.C. 5:105-2.4.
 - The Custodian's failure to timely respond to the Complainant's OPRA request resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i). However, the Council should decline to order disclosure because same occurred on April 11, 2023.
5. *Richard Bacquie v. Bayonne Police Department (Hudson) (2023-90)*
 - The Custodian lawfully denied access to the requested records under N.J.S.A. 47:1A-9(a), N.J.S.A. 2C:25-33, and VanBree v. Bridgewater Twp. Police Dep't (Somerset), GRC Complaint No. 2014-122 (October 2014).
6. *Kellan Ilse v. South Orange & Maplewood School District (Essex) (2023-143)*
 - The Custodian lawfully denied access to the Complainant's two (2) OPRA requests, which sought individual student transfer records, under N.J.S.A. 47:1A-9(a) and N.J.A.C. 6A:32-7.5(g)1.
7. *Robert C. Scutro v. City of Linden (Union) (2023-175)*
 - The Complainant withdrew his request for reconsideration of the Council's August 26, 2025 Final Decision. Thus, no further action is required.
8. *Christopher Reier v. Franklin Fire District No. 1 (Somerset) (2023-279)*
 - The Custodian's failure to timely respond to the Complainant's OPRA request resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
 - The Custodian lawfully denied access to the responsive report because it related to employee grievances and has the indicia of a personnel record. N.J.S.A. 47:1A-10; N. Jersey Media Grp. v. Bergen Cnty. Prosecutor's Office, 405 N.J. Super. 386, 390 (App. Div. 2009); Sciara v. Borough of Woodcliff Lake (Bergen), GRC Complaint No. 2011-32 (August 2012).
9. *Sandra Reier v. Franklin Fire District No. 1 (Somerset) (2023-282)*
 - The Custodian's response was insufficient because he failed to address each OPRA request item individually. N.J.S.A. 47:1A-5(g); Paff, GRC 2007-272.
 - The Custodian lawfully denied access to the report responsive to OPRA request item No. 1 because it related to employee grievances and has the indicia of a personnel record. N.J.S.A. 47:1A-10; N. Jersey Media Grp., 405 N.J. Super. at 390; Sciara, GRC 2011-32.
 - The Custodian lawfully denied access to OPRA request item No. 2 as clarified because he certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
10. *Jonathan Stevens v. NJ State Police (2023-303)*
 - The Custodian's extensions were unwarranted and unsubstantiated; thus, a "deemed" denial of access occurred. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i); Rodriguez v. Kean Univ., GRC Complaint No. 2015-312 (March 2017).
 - The Custodian lawfully denied access to the OPRA request because he certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.

VIII. Court Decisions of GRC Complaints on Appeal: None.

IX. Complaints Adjudicated in NJ Superior Court & NJ Supreme Court: None.

X. Complaints Adjudicated in U.S. District Court: None.

XI. Public Comment:

The public comment period is limited to providing an opportunity for speakers to present suggestions, views and comments relevant to the Council's functions and responsibilities. In the interest of time, speakers shall be limited to **five (5) minutes** per the GRC's By-Laws. Speakers shall not be permitted to make oral or written testimony regarding pending or scheduled adjudications.*

XII. Adjournment

*Neither attorneys nor other representatives of the parties are required to attend this meeting nor will they be permitted to make oral or written comment during the adjudication.