



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

JACQUELYN A. SUÁREZ
Commissioner

NOTICE OF MEETING Government Records Council December 9, 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., Tuesday, December 9, 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. 2026 Proposed Council Meeting Dates – Final Review

IV. Closed Session

V. Approval of Minutes of Previous Meetings:

October 6, 2025 Open Session Meeting Minutes

VI. 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. Rafael Miranda v. NJ Department of Corrections (2025-141) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
8. David J. Durling v. NJ Department of Corrections (2025-199) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
9. Michael Stevens v. County of Hudson (2025-260) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
10. Michael Stevens v. County of Hudson (2025-267) **(SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**
11. Chris Krol v. Rutgers University (2025-194) **(RC & SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**

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

1. Daniel J. Maloney, Jr. v. NJ State Police (2023-158)
 - Complaint Untimely Filed.
2. David P. Leeds v. City of Absecon (Atlantic) (2025-110)
 - No Records Responsive to the Request Exist.
3. Jack Simmermon (o/b/o Simmermon Corp d/b/a A-Jack's Towing & Recover) v. Township of Monroe (Gloucester) (2025-269)
 - Complaint Dismissed Without Prejudice.
4. Jones-Bey Desmond v. East Orange Municipal Court (Essex) (2025-340)
 - Not Within the Council's Jurisdiction.
5. Anthony Dixon v. Ocean County Superior Court (2025-345)
 - Not Within the Council's Jurisdiction.

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

1. Jose L. Gonzalez Jr. v. City of Newark (Essex) (2024-110)
 - Complaint Voluntarily Withdrawn.
2. Kelly Ann Arzberger v. Randolph Township Board of Education (Morris) (2024-154)
 - Complaint Voluntarily Withdrawn.

3. Joseph M. Kanfer (o/b/o A.L.M. Electric Co., Inc.) v. Hillside Public Schools (Union) (2024-211)
 - Complaint Voluntarily Withdrawn.
4. Kenneth Sharperson v. Morris Township Police Department (Morris) (2025-81)
 - Complaint Voluntarily Withdrawn.
5. Susan J. Kozel v. Township of Upper Freehold (Monmouth) (2025-96)
 - Complaint Voluntarily Withdrawn.
6. Avinash Melkote v. Borough of Keyport (Monmouth) (2025-97)
 - Complaint Voluntarily Withdrawn.
7. Steve Hallo v. NJ Department of Banking & Insurance (2025-104)
 - Complaint Voluntarily Withdrawn.
8. Avinash Melkote v. Township of Irvington (Essex) (2025-111)
 - Complaint Settled in Mediation.
9. Everett Falt v. Borough of Carteret (Middlesex) (2025-142)
 - Complaint Voluntarily Withdrawn.
10. Brian J. Bartiromo v. Township of Washington (Warren) (2025-172)
 - Complaint Settled in Mediation.
11. Marvin Chambers v. Passaic Board of Education (2025-198)
 - Complaint Settled in Mediation.
12. Joshua Nash v. NJ Transit (2025-209)
 - Complaint Settled in Mediation.
13. Joshua Nash v. NJ Transit (2025-215)
 - Complaint Settled in Mediation.
14. Shannon Thomas v. Irvington Police Department (Essex) (2025-218)
 - Complaint Settled in Mediation.
15. James R. Smith v. NJ Department of Corrections (2025-235)
 - Complaint Settled in Mediation.
16. Ashley-Jean Meyer v. NJ Department of Education (2025-257)
 - Complaint Voluntarily Withdrawn.
17. Avinash Melkote v. Middletown Township Police Department (Monmouth) (2025-264)
 - Complaint Voluntarily Withdrawn.
18. Avinash Melkote v. Mahwah Police Department (Bergen) (2025-279)
 - Complaint Voluntarily Withdrawn.
19. Avinash Melkote v. Wall Township Police Department (Monmouth) (2025-297)
 - Complaint Voluntarily Withdrawn.
20. Surtirtha Bagchi v. City of Union City (Hudson) (2025-298)
 - Complaint Voluntarily Withdrawn.
21. Teresa Wickkiser v. NJ State Police (2025-329)
 - Complaint Voluntarily Withdrawn.
22. Michele Carr v. Township of Pemberton (Burlington) (2025-338)
 - Complaint Voluntarily Withdrawn.

VII. 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):

VIII. 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. Gregory J. Puliti v. Township of Lawrence (Mercer) (2023-106)
 - The Custodian did not unlawfully deny access to the subject OPRA request because she disclosed all records that existed. N.J.S.A. 47:1A-6; Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).

2. Thomas and Nancy Ferrante v. Borough of Paramus (2023-128)
 - A portion of Complainants' request item No. 1 and all of request item No. 2 are invalid because they failed to identify specific records. MAG Entm't, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005); Bent v. Stafford Police Dep't, 381 N.J. Super. 30, 37 (App. Div. 2005); Lagerkvist v. Office of the Governor, 443 N.J. Super. 230, 236-237 (App. Div. 2015).
 - The Custodian unlawfully denied access to the remaining portion of Complainants' OPRA request item No. 1 and shall either locate and disclose to Complainants' responsive records, provide a specific lawful basis for denial, or certify if no records exist.
3. Veronica Gasmen v. Township of Lacey (Ocean) (2024-4)
 - The Custodian lawfully denied access to the requested draft meeting minutes under the "inter-agency or intra-agency advisory, consultative, or deliberative material" exemption. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6.
4. Elizabeth Strochak v. Alexandria Township Board of Education (2024-35)
 - The Custodian unlawfully denied access to the responsive meeting recording. N.J.S.A. 47:1A-6; Burlett v. Monmouth Cnty. Bd. of Chosen Freeholders, GRC Complaint No. 2009-49 (February 2010). However, the GRC declines to order disclosure because same occurred on February 7, 2024, and again on March 9, 2024.
 - There is no knowing and willful violation.
5. Everett Falt v. Borough of Carteret (Middlesex) (2025-196)
 - The Custodian's failure to submit a Statement of Information resulted in a violation of N.J.A.C. 5:105-2.4.
 - 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 may have unlawfully denied access to the portion of the Complainant's OPRA request seeking individual e-mails. N.J.S.A. 47:1A-6. Thus, the Custodian shall either locate and disclose to the Complainant responsive records, provide a specific lawful basis for denial, or certify if no records exist.

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

X. Complaints Adjudicated in NJ Superior Court & NJ Supreme Court:

- Vele v. Borough of Englewood Cliffs, 2025 N.J. Super. Unpub. LEXIS 1935 (App. Div. 2025)

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

XII. 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.*

XIII. 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.