



**Minutes of the Government Records Council  
March 31, 2026 Public Meeting – Open Session**

**I. Public Session:**

- **Call to Order**

The meeting was called to order at 1:38 p.m. by Mr. John Alexy via Microsoft Teams.

- **Pledge of Allegiance**

All stood and recited the pledge of allegiance in salute to the American flag.

- **Meeting Notice**

Mr. Alexy read the following Open Public Meetings Act statement:

“This meeting was called pursuant to the provisions of the Open Public Meeting Act. Notices of this meeting were faxed to the Newark Star Ledger, Trenton Times, Courier-Post (Cherry Hill), and the Secretary of State on March 26, 2026.

- **Roll Call**

Ms. Bordzoe called the roll:

Present: John Alexy (Chairman) (designee of Department of Community Affairs Commissioner, Jacquelyn A. Suárez), Robin Berg Tabakin, Esq. (Vice Chair), Ronald Chen, Esq., Public Member and Steven Ritardi, Esq., (Secretary).

GRC Staff in Attendance: Frank F. Caruso (Executive Director), Rosemond Bordzoe (Secretary), John Stewart (Mediator), Samuel Rosado (Staff Attorney), Jennifer Howell (Staff Attorney), Maria Rossi (Staff Attorney), and Deputy Attorney General Mark Gulbranson.

**II. Executive Director’s Report:**

**Adjudication Requirement Update**

- As the Council is aware, amendments to OPRA enacted on September 3, 2024 require the GRC to adjudicate complaints within 90 days of receipt (with a potential extended time frame of 135) beginning 18 months after enactment. N.J.S.A. 47:1A-7(e). As of February

3, 2026, the GRC must balance adjudicating its backlogged cases with those coming in since February 3, 2026. This will result in monthly agendas containing complaints still pending adjudication mixed with those filed after the 90-day adjudication time frame went into effect.

### **Current Statistics**

- Since OPRA's inception in July 2002, the GRC has received 7,826 Denial of Access Complaints. That averages about 330 annual complaints per 23 <sup>3</sup>/<sub>4</sub> tracked program years. So far in the current program year (FY2026), the GRC has received 442 Denial of Access Complaints (noting the GRC received only 270 complaints in all of FY2025).
- This is an increase of 74 complaints since the last meeting. Overall, the GRC has received 172 complaints since January 1, 2026 and 120 complaints since the 90 day adjudication time frame went into effect.
- 712 of the 7,826 complaints remain open and active (9.1%). Of those open cases:
  - 7 complaints are on appeal with the Appellate Division (1.0%);
  - 31 complaints are currently in mediation (4.4%);
  - 1 complaint is proposed for the Office of Administrative Law (0.1%);
  - 6 complaints await adjudication by the Office of Administrative Law (0.8%);
  - 37 complaints are tentatively scheduled for adjudication at an upcoming GRC meeting, which includes the current meeting (5.2%);
  - 629 complaints are work in progress (88.3%); and
  - 0 complaints are being held in abeyance (0.0%).
- Since Program Year 2004, the GRC has received and responded to 42,367 total inquiries, averaging about 1,862 annual inquiries per 22 <sup>3</sup>/<sub>4</sub> tracked program years (the GRC did not track inquiries in the agency's first year). So far in the current program year (FY2026), the GRC has received 1,341 inquiries (7.4 inquiries per workday).

### **GRC Outreaches**

- The GRC's next training will be at a workshop held virtually by the New Jersey Association of Counties on April 15, 2026.

### **III. Closed Session**

#### **IV. Approval of Minutes of Previous Meetings:**

##### **February 24, 2026, Open Session Meeting Minutes**

Mr. Alexy called for a motion to approve the draft open session minutes of the February 24, 2026, meeting. Mr. Chen made a motion, which was seconded by Mr. Ritardi. The motion passed by a unanimous vote.

#### **V. New Business – Cases Scheduled for Adjudication**

Mr. Alexy stated that 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 reason for the Administrative Disposition is under each complaint below.

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

1. **Abdelhamid Arbab v. NJ Department of Corrections (2023-39) (RBT and SR Recusals)**
  - **Cannot be adjudicated due to lack of quorum.**

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

1. **Mark-Brian Kline v. Township of Hazlet (Monmouth) (2025-360)**
  - No Records Responsive to the Request Exist.
2. **Ricotson R. Dolisca v. Township of Irvington (Essex) (2025-425)**
  - Motion to File Within Time Denied.
3. **Christopher Capodice, Sr. v. Springfield Public Schools (Union) (2026-34)**
  - Complaint Dismissed Without Prejudice.
4. **Anisa Williams v. Township of Irvington (Essex) (2026-64)**
  - Motion to File Within Time Denied.
5. **Christopher Capodice, Sr. v. Springfield Public Schools (Union) (2026-65)**
  - Duplicate Complaint Filed With the GRC.

Mr. Alexy called for any discussion on the Administrative Dispositions as written. Hearing none, Mr. Alexy called for a motion to accept the recommendations as written in all the above Administrative Dispositions. Mr. Chen made a motion, which was seconded by Mr. Ritardi. The motion passed by a unanimous vote.

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

1. **Katherine Taylor v. Rutgers University (2025-334)**
  - Complaint Settled in Mediation.

2. **David Durling v. NJ Office of Administrative Law (2026-12)**
  - Complaint Voluntarily Withdrawn.
3. **Vincent Michael Russo (o/b/o Rudy Hill) v. City of Newark (Essex) (2026-13)**
  - Complaint Voluntarily Withdrawn.
4. **Kyle Printon v. Borough of Glassboro (Gloucester) (2026-18)**
  - Complaint Voluntarily Withdrawn.
5. **Syed Eshaan Ali v. Old Bridge Township (Middlesex) (2026-39)**
  - Complaint Voluntarily Withdrawn.
6. **Kai Collins v. NJ Department of Education (2026-57)**
  - Complaint Voluntarily Withdrawn.
7. **Renee Gambarcorta v. NJ Department of Community Affairs, Division of Local Government Services (2026-59)**
  - Complaint Voluntarily Withdrawn.
8. **Syed Eshaan Ali v. Old Bridge Township (Middlesex) (2026-60)**
  - Complaint Voluntarily Withdrawn.
9. **Kristin McConnell v. Red Bank Police Department (Monmouth) (2026-74)**
  - Complaint Voluntarily Withdrawn.
10. **Yosef Leser v. City of East Orange (Essex) (2026-75)**
  - Complaint Voluntarily Withdrawn.
11. **Ronald Hampton v. Port Authority of NY & NJ (2026-89)**
  - Complaint Voluntarily Withdrawn.
12. **Jeffrey Michael Green v. NJ Department of Banking and Insurance (2026-109)**
  - Complaint Voluntarily Withdrawn.

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

Mr. Alexy stated that 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): None**

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

1. **Lorraine Gallagher v. Old Bridge Police Department (Middlesex) (2025-283)**
  - Motion to File Within Time Granted.
  - Mr. Alexy called for any discussion on the Administrative Order as written. Hearing none, Mr. Alexy called for a motion to accept the recommendations as written in the above Administrative Order. Mr. Chen made a motion, which was seconded by Mr. Ritardi. The motion passed by a unanimous vote

## **VII. New Business – Cases Scheduled for Individual Complaint Adjudication**

A brief summary of the Executive Director’s recommended action is under each complaint:

Mr. Alexy stated that Mr. Ritardi would be muted for this portion of the agenda to ensure his non-participation in the item from which he is recused. Mr. Alexy confirmed to the public that Mr. Ritardi was muted prior to addressing the agenda item below.

#### **A. Individual Complaint Adjudications with Recusals:**

##### **1. Debra Salters v. City of Newark (Essex) (2022-632) (SR Recusal)**

- The Custodian's failure to timely respond to each of the subject OPRA requests 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 Complainant's March 30, 2022 OPRA request because she certified, and the record reflects, that no records exist. Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005).
- The Custodian did not unlawfully deny access to the April 11, 2022 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).
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote; Mr. Ritardi recused.

Mr. Alexy notified the public that Mr. Ritardi would rejoin the meeting by unmuting himself. Mr. Ritardi rejoined the meeting at that time.

##### **2. Thomas Dudley, Jr. v. NJ Department of Corrections (2024-46) (RBT and SR Recusals)**

- **Cannot be adjudicated due to lack of quorum.**

#### **B. Individual Complaint Adjudications with no Recusals:**

##### **1. Naeem Akhtar v. City of Trenton (Mercer) (2022-227)**

- This complaint should be dismissed because the Complainant failed to appear for a scheduled hearing on January 21, 2026, before the Office of Administrative Law ("OAL") and did not submit any explanation for said failure.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

2. **Judith V. Burton v. City of Trenton (Mercer) (2022-297)**
  - This complaint should be dismissed because the Complainant withdrew it on February 11, 2026, in an e-mail to the OAL.
  - Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.
  
3. **Shmuel Edeltuch v. Township of Lakewood (Ocean) (2023-66)**
  - The Custodian lawfully denied access to the responsive records under N.J.S.A. 47:1A-9, N.J.S.A. 2A:4A-60, and Loigman, Esq. (o/b/o Shlomie Klein) v. Township of Lakewood (Ocean), GRC Complaint No. 2021-154 (October 2023). N.J.S.A. 47:1A-6.
  - Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.
  
4. **Renata Hobbs v. Jersey City Board of Education (Hudson) (2023-109)**
  - The Custodian lawfully denied access to OPRA request item Nos. 1 through 3 and 5 through 6 because the records sought relate to the Jersey City Board of Education’s recruitment process. N.J.S.A. 47:1A-10; Toscano v. N.J. Dep’t of Human Servs., Div. of Health Servs., GRC Complaint No. 2010-147 (May 2011); Vandy v. Burlington Cnty. Bd. of Social Servs., GRC Complaint No. 2016-319 (December 2018).
  - The Custodian lawfully denied access to OPRA request item Nos. 4 and 7 under the “inter-agency or intra-agency advisory, consultative, or deliberative [(“ACD”)] material” exemption. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6.
  - Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.
  
5. **Juan Carols Ramirez Rodriguez (o/b/o Rosa Ermelinda Ruiz de Rugama a.k.a. Marveli Flavia Ubeda) v. Neptune Township Police Department (Monmouth) (2023-150)**
  - The Custodian unlawfully denied access to the responsive arrest report and complaint. N.J.S.A. 47:1A-3(b); N.J.S.A. 47:1A-6; Morgano v. Essex Cnty. Prosecutor’s Office, GRC Complaint No. 2007-156 (February 2009). The Custodian shall disclose those records, with redactions where appropriate, to the Complainant.
  - The Custodian lawfully denied access to the responsive police report under the criminal investigatory exemption. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6;

N. Jersey Media Grp., Inc. v. Twp. of Lyndhurst, 229 N.J. 541 (2017); Janeczko v. N.J. Dep't of Law and Pub. Safety, Div. of Criminal Justice, GRC Complaint No. 2002-79, *et seq.* (June 2004).

- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

6. **Aakash Dalal v. Bergen County Prosecutor's Office (2023-284)**

- The Custodian conducted an insufficient search for the responsive letter. N.J.S.A. 47:1A-6. However, the GRC declines to order disclosure because the Custodian did so as part of the Statement of Information ("SOI").
- There is no knowing and willful violation.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

7. **Anne Vukicevich v. Moorestown Township (Burlington) (2023-288)**

- Notwithstanding the OPRA request being delivered to the Custodian's "Junk" mail folder, her failure to timely respond to the subject OPRA request resulted in a violation of the immediate access provision of OPRA and "deemed" denial of access. N.J.S.A. 47:1A-5(e); N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
- The Complainant's request is invalid because it required research. MAG Entm't, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005); Carter v. N.J. Dep't of Cmty. Affairs, Div. of Local Gov't Serv., 2019 N.J. Super. Unpub. LEXIS 2510 (App. Div. 2019).
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

8. **Aaron Albert Mitchell Jr. v. Township of Willingboro (Burlington) (2024-57)**

- Ms. Cooper-McBride's failure to timely respond 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 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, GRC 2009-156, *et seq.*
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr.

Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

9. **Brian R. Wittig v. Rockaway Township (Morris) (2024-71)**

- The Custodian lawfully denied access to the OPRA request seeking draft documents under the ACD exemption. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6; Libertarians for Transparent Gov't v. Gov't Records Council, 453 N.J. Super. 83 (App. Div. 2018).
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

10. **Matthew Bledsoe v. City of Trenton (Mercer) (2024-147)**

- The Custodian's extensions were unwarranted and unreasonable; thus, a "deemed" denial of access occurred. N.J.S.A. 47:1A-5(g); Ciccarone v. N.J. Dep't of Treasury, GRC Complaint No. 2013-280 (Interim Order dated July 29, 2014). However, the GRC declines to order disclosure because the Custodian did so on July 10, 2024.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

11. **Steve Clegg v. City of Trenton (Mercer) (2025-38)**

- The Custodian complied with the Council's January 27, 2026 Interim Order.
- There is no knowing and willful violation.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

12. **Steve Clegg v. City of Trenton (Mercer) (2025-82)**

- The Custodian failed to comply with the Council's January 27, 2026 Interim Order.
- The Council's Order is enforceable in Superior Court. R. 4:67-6; N.J.A.C. 5:105-2.9(c).
- The Custodian's actions may have been knowing and willful. Thus, this complaint should be referred to the OAL for a knowing and willful hearing.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr.

Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

13. **Everett Falt v. Borough of Carteret (Middlesex) (2025-196)**

- The Council should decline to address the Custodian's request for reconsideration because it was untimely. N.J.A.C. 5:105-2.10.
- The Custodian did not fully comply with the Council's December 9, 2025 Interim Order.
- The Custodian is being provided with a final opportunity to comply with the Council's Interim Order.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

14. **Pamela R. Sickinger v. Rockaway Township (Morris) (2025-409)**

- The Complainant's request for reconsideration should be denied.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

15. **Alfred Tard-El v. City of Trenton (Mercer) (2025-429)**

- 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).
- The Custodian may have unlawfully denied access to the Complainant's OPRA request. Thus, the Custodian shall: 1) locate and disclose responsive records; 2) identify any records exempt from disclosure in part or whole; or 3) certify if no records exist.
- The knowing and willful analysis is deferred.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Chen made a motion, and Mr. Ritardi seconded the motion. The motion passed by a unanimous vote.

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

## **IX. Complaints Adjudicated in NJ Superior Court & NJ Supreme Court:**

- Borough of Spotswood v. Middlesex Cnty. Prosecutor's Office, 2026 N.J. Super. Unpub. LEXIS 395 (App. Div. 2026): This extremely complicated case addressed several issues involving body-worn camera (“BWC”) recordings of Spotswood’s Mayor making several comments about a visitor to the Borough’s offices. The Borough initially filed an Order to Show Cause seeking to enjoin the Middlesex County Prosecutor’s Office (“MCPO”) from disclosing the BWC recordings. The trial court determined that one BWC recording was not subject to disclosure “under the pertinent statutes and common law,” but that a second recording was subject to disclosure with redactions. The court also ordered release of an internal affairs (“IA”) file connected to the recordings, with redactions. Appeals and cross-appeals followed.

On appeal, the parties advanced competing arguments:

- Plaintiffs urged affirmation of the trial court’s decision.
- Two (2) intervenors argued the recordings were “government records” subject to disclosure under OPRA, the Body-worn Camera Law (“BWCL”), Attorney General’s (“AG”) Policy, and common law.
- MCPO argued that the recordings were lawful and no BWCL exceptions to disclosure applied, but that the case should be remanded for potential application of OPRA’s security/surveillance and deliberative exemptions.
- The AG, appearing amicus, argued that the trial court erred in finding that the second recording was not a “government record” for purposes of OPRA.

After a series of pre-trial orders and oral arguments, the Appellate Division found that both recordings were “government records” for purposes of OPRA and that the trial court erred in its application of exemptions contained in the BWCL. Additionally, the court found that the trial court erred in “categorically determining” that the recordings should have been destroyed in accordance with the BWCL’s notification provisions. The court thus ordered MCPO to review and redact the records under OPRA, vacated the trial court’s common law determination and held disclosure of the IA reports in abeyance pending further action. The court further ordered that the MCPO must disclose to counsel for each litigant group a redacted version of the records within sixty (60) days (after a thirty (30) day hold for potential N.J. Supreme Court petitions), and that any objections over those redactions could be brought as a new action in the Law Division.

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

## **XI. Public Comment: None**

## **XII. Adjournment:**

Mr. Alexy called for a motion to end the Council meeting. Mr. Chen made a motion, which was seconded by Mr. Ritardi. The motion passed by a unanimous vote. The meeting adjourned at 2:11 p.m.

Respectfully submitted,

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John Alexy, Chair

Date Approved: April 28, 2026