



Minutes of the Government Records Council May 28, 2026 Public Meeting – Open Session

I. Public Session:

- **Call to Order**

The meeting was called to order at 1:33 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 May 22, 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), Steven Ritardi, Esq. (Secretary), and Ronald Chen, Esq., Public Member, Judge Alexander Carver III (Ret.), Public Member.

GRC Staff in Attendance: Frank F. Caruso (Executive Director), Rosemond Bordzoe (Secretary), John Stewart (Mediator), Karyn G. Gordon (Special Staff Attorney), Maria M. Rossi (Staff Attorney), Brenda Alves (Staff Attorney), Rose-Valda Julceus (Staff Attorney), Philip Voicu (Assistant Mediator/Staff Attorney), and Deputy Attorney General Mark Gulbranson.

II. Executive Director’s Report:

Official Welcome to New Councilmembers and Staff

The GRC first welcomes the Council’s newest appointee, Judge Alexander H. Carver, III, JSC (Ret). Judge Carver boasts an exceptional career as both a licensed attorney for over 50 years and

a Superior Court Judge. The GRC is excited to have Judge Carver join the Council and looks forward to working with him.

The GRC next welcomes back a familiar face: Karyn G. Gordon, Esq. who is assuming the role of Special Staff Attorney. As some may know, Ms. Gordon previously worked with the GRC as In-House council and later Acting Executive Director prior to her departure in April 2013 from the Judiciary. Overall, Ms. Gordon has over 25 years of State experience between the Office of the Attorney General, GRC, and Judiciary. Ms. Gordon's new role will be to assist the Executive Director with reviewing proposed decisions and other GRC-related activities as needed. The GRC is appreciative of Ms. Gordon's agreement to return.

The GRC finally welcomes Philip Voicu, Esq., who is assuming the role of Assistant Mediator/Staff Attorney. Mr. Voicu previously worked for the Division of Housing and Community Resources within the N.J. Department of Community Affairs, where he was a custodian of record, amongst other duties. Mr. Voicu has multiple years of experience in document discovery for private law firms. In his role, Mr. Voicu will work with the GRC's current mediator to learn how mediations are conducted with the goal of being able to assist in the overall mediation program. The GRC welcomes Mr. Voicu and looks forward to seeing his progress in this new role.

Current Statistics

- Since OPRA's inception in July 2002, the GRC has received 7,945 Denial of Access Complaints. That averages about 334 annual complaints per a little more than 23 ³/₄ tracked program years. So far in the current program year (FY2026), the GRC has received 561 Denial of Access Complaints (more than double the 270 complaints filed in all of FY2025).
- This is an increase of 71 complaints since the last meeting, with another 20 awaiting the intake process. Overall, the GRC has received 246 complaints since January 1, 2026 (averaging nearly 2 per calendar day) and 248 complaints since the 90-day adjudication time frame went into effect.
- 772 of the 7,945 complaints remain open and active (9.7%). Of those open cases:
 - 7 complaints are on appeal with the Appellate Division (0.9%);
 - 20 complaints are currently in mediation (2.6%);
 - 2 complaints are proposed for the Office of Administrative Law (0.3%);
 - 6 complaints await adjudication by the Office of Administrative Law (0.8%);
 - 42 complaints are tentatively scheduled for adjudication at an upcoming GRC meeting, which includes the current meeting (5.4%);
 - 695 complaints are work in progress (90.0%); and
 - 0 complaints are being held in abeyance (0.0%).
- Since Program Year 2004, the GRC has received and responded to 42,693 total inquiries, averaging about 1,877 annual inquiries per a little more than 22 ³/₄ 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 1,667 inquiries (7.5 inquiries per workday).

GRC Outreaches

- The GRC's next trainings are as follows:
 - The GRC will be presenting at the N.J. League of Municipalities Mini-Conference on June 10, 2026 in West Windsor.
 - The GRC will be presenting at the 2026 Middlesex County Clerk's Association Mini-Conference on June 25, 2026 in Woodbridge, NJ.

III. Closed Session

IV. Approval of Minutes of Previous Meetings:

April 28, 2026, Open Session Meeting Minutes

Mr. Alexy called for a motion to approve the draft open session minutes of the April 28, 2026, meeting. Mr. Chen made a motion, which was seconded by Steven Ritardi. The motion passed by a unanimous vote; Judge Carver abstained.

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.

Mr. Alexy stated that Mr. Ritardi and Ms. Berg Tabakin would be muted for this portion of the agenda to ensure their non-participation in the items from which they were recused. Mr. Alexy confirmed to the public that Mr. Ritardi and Ms. Berg Tabakin were muted prior to addressing the agenda items below.

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

1. **Abdelhamid Arbab v. NJ Department of Corrections (2023-39) (SR and RBT Recusal)**
 - Unable to Locate Complainant.
2. **Newell Knight v. NJ Department of Corrections (2026-155) (SR and RBT Recusal)**
 - Motion to File Within Time Denied.

Mr. Alexy called for a motion to accept the recommendations as written in all the above Administrative Complaint Dispositions. Mr. Chen made a motion, which was seconded by

Judge Carver. The motion passed by a unanimous vote; Mr. Ritardi and Ms. Berg Tabakin recused.

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

3. **Noelle Hardy v. City of Newark (Essex) (2026-183) (SR Recusal)**

- Motion to File Within Time Denied.
- Mr. Alexy called for any discussion on the Administrative Disposition as written. Hearing none, Mr. Alexy called for a motion to accept the recommendations as written in the above Administrative Complaint Disposition. Mr. Chen made a motion, which was seconded by Judge Carver. 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.

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

1. **John Hastings v. Norwood Public School (Bergen) (2026-181)**

- Motion to File Within Time Denied in Part.
- Mr. Alexy called for any discussion on the Administrative Disposition as written. Hearing none, Mr. Alexy called for a motion to accept the recommendations as written in the above Administrative Complaint Disposition. Mr. Chen made a motion, which was seconded by Judge Carver. The motion passed by a unanimous vote.

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

1. **Kelly A. Moore (o/b/o Amazon.com Services, LLC) v. NJ Office of the Attorney General (2025-339)**

- Complaint Voluntarily Withdrawn.

2. **Scott Coulson v. Town of Kearny (Hudson) (2025-392)**

- Complaint Settled in Mediation.

3. **Maggie Doucette v. Borough of Point Pleasant Beach (Ocean) (2025-418)**

- Complaint Settled in Mediation.

4. **Shant Cakirdas v. NJ Institute of Technology (2026-19)**

- Complaint Settled in Mediation.

5. **Syed Eshaan Ali v. NJ Department of Children and Families (2026-73)**

- Complaint Voluntarily Withdrawn.

6. **Jennifer Akturk v. NJ Department of Transportation (2026-139)**

- Complaint Voluntarily Withdrawn.

7. **Nicholas Sodano v. Township of Mount Holly (Burlington) (2026-146)**

- Complaint Settled in Mediation.

8. **Robert C. Scutro v. City of Linden (Union) (2026-178)**
 - Complaint Voluntarily Withdrawn.
9. **Jacqueline N. Lopez v. Borough of Bellmawr Police Department (Camden) (2026-180)**
 - Complaint Settled in Mediation.
10. **Wanda R. Stevenson v. City of Newark (Essex) (2026-195)**
 - Complaint Voluntarily Withdrawn.
11. **Fawziyya Muhammad v. City of Newark (Essex) (2026-210)**
 - Complaint Voluntarily Withdrawn.
12. **John F. Huegel v. County of Essex (2026-218)**
 - Complaint Voluntarily Withdrawn.
13. **Michael Smith v. NJ Division of Criminal Justice, State Office of Victim-Witness Advocacy (2026-226)**
 - 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. **Gregory J. Puliti v. Township of Lawrence (Mercer) (2023-107)**
 - *In Camera* Review.
 - 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 Judge Carver. 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 and Ms. Berg Tabakin would be muted for this portion of the agenda to ensure their non-participation in the items from which they were recused. Mr. Alexy confirmed to the public that Mr. Ritardi and Ms. Berg Tabakin were muted prior to addressing the agenda items below.

A. Individual Complaint Adjudications with Recusals:

1. **Thomas Dudley, Jr. v. NJ Department of Corrections (2024-46) (SR and RBT Recusal)**
 - The Custodian lawfully denied access to the requested logbooks. N.J.S.A. 47:1A-9(a); N.J.A.C. 10A:22-2.3(a)(13).
 - 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 Judge Carver seconded the motion. The motion passed by a unanimous vote; Mr. Ritardi and Ms. Berg Tabakin recused.

2. **Terrence Holmes v. NJ Department of Corrections (2024-167) (SR and RBT Recusal)**
 - The Custodian lawfully denied access to the requested phone call recordings. N.J.S.A. 47:1A-9(a); N.J.A.C. 10A:22-2.3(a)(12).
 - 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 Judge Carver seconded the motion. The motion passed by a unanimous vote; Mr. Ritardi and Ms. Berg Tabakin recused.

Mr. Alexy notified the public that Mr. Ritardi and Ms. Berg Tabakin would rejoin the meeting by unmuting themselves.

B. Individual Complaint Adjudications with no Recusals:

1. **Terry Peifer v. City of Trenton (Mercer) (2024-172)**
 - The Custodian may have unlawfully denied access to OPRA request item Nos. 2 through 5. 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 Judge Carver seconded the motion. The motion passed by a unanimous vote.

2. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-281)**
3. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-292)**
4. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-313)**
5. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-337)**
6. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-346)**
7. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-375)**
8. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-404)**
9. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2025-439)**
10. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2026-28)**

11. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2026-31)**

12. **Councilman Andrew Seise v. Borough of Lincoln Park (Morris) (2026-50)**
CONSOLIDATED)

- No “deemed” denial of access occurred in GRC 2025-281 because the Custodian timely responded directing the Complainant to the Borough of Lincoln Park’s (“Borough”) website.
- The Custodian did not unlawfully deny access to any of the eleven (11) OPRA requests because she acted lawfully in accordance with N.J.S.A. 47:1A-5(e) and was not required to produce the responsive recordings on compact discs.
- 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 Judge Carver seconded the motion. The motion passed by a unanimous vote.

13. **Andrew Cary Baldwin v. Township of Clinton (Hunterdon) (2025-293)**

- 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 outstanding portions of 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 Judge Carver seconded the motion. The motion passed by a unanimous vote.

14. **Joseph Loughlin v. Somerset Raritan Valley Sewerage Authority (Somerset) (2026-40)**

- The Council should dismiss the portion of the complaint regarding the November 24, 2025 OPRA request as out of time. N.J.A.C. 5:105-2.1(a). The Complainant did not provide evidence showing good cause existed to accept this portion of the complaint as within time.
- 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). The Custodian shall search for and disclose the responsive records.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Ms. Rossi noted that an amendment was made to the first full paragraph on page 4 to add some analysis to the statute of limitations issue. Ms. Rossi read the amended passage to the Council. Mr.

Alexy called for a motion to accept the Executive Director's findings and recommendations as amended. Mr. Chen made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

15. Mark-Brian Kline v. Somerset County (2026-51)

- The Custodian lawfully denied access to the Complainant's OPRA request item No. 1 seeking oaths of office because same are exempt from disclosure. N.J.S.A. 47:1A-1.1; Kaufmann, Jr. v. N.J. Office of the Attorney Gen., GRC Complaint. No. 2022-178 (May 2023).
- 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 Judge Carver seconded the motion. The motion passed by a unanimous vote.

16. Jeffrey Brian Wills, Jr. v. Medford Police Department (Burlington) (2026-66)

- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Mr. Chen disagreed with the decision and provided a detailed explanation of his position. Ms. Tabakin noted that she agreed that the proposed decision may require additional review and suggested that it be tabled. All Councilmembers expressed their agreement to table the complaint. Mr. Chen made a motion, and Judge Carver 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:

- **Hopkins v. Cty. of Hunterdon, 2026 N.J. Super. Unpub. LEXIS 858 (App. Div. Apr. 30, 2026)**: Plaintiff filed two actions after defendants, who denied his OPRA request for CAMA data on the basis that “[t]hose files are not the County’s records[]” and directed plaintiff to each county municipality. This denial was based on new language in N.J.S.A. 47:1A-5(i)(1) which speaks to “possession” of government records. Defendants also noted that the responsive data contained information considered exempt under OPRA’s privacy exemption. The trial court denied plaintiff’s actions on the basis that it may contain privacy information. The court also “appeared to reject” defendants’ possession argument.

Both parties appealed the decision. Plaintiff argued that the court erred in allowing Defendants to rely on the privacy argument and not collaterally estopping them based on prior actions where CAMA data was disclosed. Defendants argued that the court erred by rejecting the possession argument. Regarding plaintiff’s appeal, the App. Div. rejected the collateral estoppel argument, reasoning that past settlements and statements did not bind defendants into future disclosures. However, the court did agree that the trial court’s erred by failing to conduct an *in camera* review, given the lack of certifications or affidavits on the nature of confidential information on the record. Regarding defendants’

appeal, the App. Div. held that the trial court's sole statement on the issue, "[t]hat's not the case here," did not meet the requirement set forth in R. 1:7-4(a) to be considered a finding of fact. The court thus vacated and remanded for both an *in camera* review and, if N.J.S.A. 47:1A-5(i)(1) did not apply, to determine the level of disclosure required.

Vacated and remanded.

- **Afr. Am. Data & Rsch. Inst. (AADARI) v. Hitchner, 2026 N.J. Super. Unpub. LEXIS 1028 (App. Div. May 18, 2026)**: This is a rather lengthy case history with separate appeals, including one previously reported to the Council at the November 2024 meeting (Afr. Am. Data & Rsch. Inst. (AADARI) v. Hitchner, 2024 N.J. Super. Unpub. LEXIS 2059 (App. Div. April 15, 2024)). Briefly, Plaintiff appealed multiple trial court orders stemming from the dismissal of his consolidated, unverified complaints on the basis that AADARI officer identified therein was incompetent to proceed. Following dismissal, Plaintiff attempted to amend AADARI's unverified complaints to identify a new officer, Grace Woko ("Woko"), and same was also rejected by both the trial court and App. Div.

On appeal, Plaintiff argued that the App. Div.'s decision in 2024 N.J. Super. Unpub. LEXIS 2059 implied standing; the issue was barred from re-litigation by *res judicata*, collateral estoppel, and the law of case doctrines. Plaintiff contended that as a corporation, it had standing and timely filed its OPRA actions. Plaintiff also argued that the trial court's application of prior case law was misplaced, that the Woko qualified as a "person," and defendants failed to establish that the former officer was "incompetent." The App. Div. rejected the standing argument on the grounds that Plaintiff conceded the former officer "lacked capacity." The court next rejected the amended complaint arguments as "fruitless" because plaintiff failed to provide "a new operating agreement with the consent" of the former officer and further failed to establish that Woko was duly elected or became an officer of AADARI in accordance with its bylaws. The court finally rejected Plaintiff's attempt to appeal a reconsideration denial and did not reach any issues of abuse of discretion.

Affirmed.

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 Judge Carver. The motion passed by a unanimous vote. The meeting adjourned at 2:13 p.m.

Respectfully submitted,

John Alexy, Chair

Date Approved: June 30, 2026