Minutes of the Government Records Council
September 29, 2026 Public Meeting – Open Session

I. Public Session:

- **Call to Order**

The meeting was called to order at 1:36 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 August 20, 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), and Ronald Chen, Esq., Public Member, Judge Alexander Carver, III (Ret.), Public Member, and Laura Scutari, Esq., Public Member.

Absent: Steven Ritardi, Esq. (Secretary) and James Durek, Esq., 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), Phillip Voicu, and Deputy Attorney General Mark Gulbranson.

Mr. Caruso announced that GRC Complaint No. 2026-103 needed to be moved on the agenda from Section v(d)(7) to V(E)(2) based on a withdrawal received. Mr. Alexy called for a motion to amend the agenda as stated by Mr. Caruso. Ms. Berg Tabakin made a motion, which was seconded by Judge Carver. The motion passed by a unanimous vote.

II. Executive Director's Report:

GRC Agenda Changes

In the wake of the Council's approval to proceed with the new Administrative Disposition - Summary Judgment category, the GRC is reorganizing its agenda. Beginning with today's meeting, Summary Judgments have been separated into their own agenda category underneath the "Cases Scheduled for Consent or Voice Agenda Administrative Complaint Disposition Adjudication." Those scheduled Summary Judgments will be individually voted on by a voice vote of the Council. This approach will allow the Council to better individualize their consideration of each Summary Judgment while keeping the meeting pace as expeditious as possible.

Current Statistics

- Since OPRA's inception in July 2002, the GRC has received 8,251 Denial of Access Complaints. That averages about 340 annual complaints per 24 ¼ tracked program years. So far in the current program year (FY2027), the GRC has received 198 Denial of Access Complaints (over 3 complaints per workday). It should also be noted that for the first time in its history, the GRC has received over 100 complaints in the month of September.

- 934 of the 8,251 complaints remain open and active (8.8%). Of those open cases:
  - 9 complaints are on appeal with the Appellate Division (1.0%);
  - 23 complaints are currently in mediation (2.5%);
  - 4 complaints are proposed for the Office of Administrative Law (0.4%);
  - 5 complaints await adjudication by the Office of Administrative Law (0.5%);
  - 58 complaints are tentatively scheduled for adjudication at an upcoming GRC meeting, which includes the current meeting (6.2%);
  - 835 complaints are work in progress (89.4%); and
  - 0 complaints are being held in abeyance (0.0%).

- Since Program Year 2004, the GRC has received and responded to 43,334 total inquiries, averaging about 1,864 annual inquiries per 23 ¼ tracked program years (the GRC did not track inquiries in the agency's first year). So far in the current program year (FY2027), the GRC has received 468 inquiries (7.5 inquiries per workday).

GRC Outreaches

- The GRC's upcoming outreaches are as follows:
  - September 30, 2026: virtual training for the Chair of the Civil Service Commission.
  - October 19, 2026: virtual "Lunch and Learn" hosted by the Somerset County Municipal Clerk's Association.

III. Closed Session: None

IV. Approval of Minutes of Previous Meetings:

August 25, 2026 Open Session Meeting Minutes

Mr. Alexy called for a motion to approve the draft open session minutes of the August 25, 2026, meeting. Ms. Berg Tabakin made a motion, which was seconded by Judge Carver. The motion passed by a unanimous vote.

August 25, 2026 Closed Session Meeting Minutes

Mr. Alexy called for a motion to approve the draft closed session minutes of the August 25, 2026, meeting. Ms. Berg Tabakin made a motion, which was seconded by Judge Carver. 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. **Yusuf Ibrahim v. Hudson County Correctional Center (2024-24) (SR Recusal)**
   - No Correspondence Received by the Custodian.
2. **Ray Ma'at El Bey v. Jersey City Housing Authority (Hudson) (2026-110) (SR Recusal)**
   - Unripe Cause of Action.
3. **Khepera Tehouti Sims v. Hudson County Department of Family Services (2026-120) (SR Recusal)**
   - Not a Valid OPRA Request.

Mr. Alexy called for a motion to accept the recommendations as written in all the above Administrative Complaint Dispositions. Ms. Berg Tabakin made a motion, which was seconded by Judge Carver. The motion passed by a unanimous vote; Mr. Ritardi was absent.

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

1. **Anne Vukicevic v. Moorestown Township (Burlington) (2023-243)**
   - No Records Responsive to the Request Exist.
2. **David Weiner v. County of Essex (2025-29)**
   - All Records Responsive Provided in a Timely Manner.
3. **David Weiner v. County of Essex (2025-42)**
   - No Records Responsive to the Request Exist.

4. **David Weiner v. County of Essex (2025-98)**
    - Complaint Untimely Filed.
5. **Isabela Perdomo v. Borough of Little Ferry (Bergen) (2025-137)**
    - All Records Responsive Provided in a Timely Manner.
6. **Daniel Opdyke v. City of Trenton (Mercer) (2025-263)**
    - All Records Responsive Provided in a Timely Manner.
7. **Isabela Perdomo v. Borough of Little Ferry (Bergen) (2025-276)**
    - All Records Responsive Provided in a Timely Manner.
8. **Jeffrey A. Oster (o/b/o Craig Scott) v. Essex County Prosecutor's Office (2025-307)**
    - Complaint Untimely Filed.
9. **Richard Rivera v. City of Paterson (Passaic) (2026-67)**
    - Complaint Dismissed Without Prejudice.
10. **Norman D. Sutaria v. Township of Bloomfield (Essex) (2026-113)**
    - Complaint Dismissed Without Prejudice.
11. **William Bray v. Hackettstown School District (Warren) (2026-229)**
    - Not a Valid OPRA Request.
12. **Jeffry Ian Fenner v. Morris School District (Morris) (2026-371)**
    - Motion to File Within Time Denied.
13. **Richard Rivera v. Borough of Penns Grove (Salem) (2026-463)**
    - Unripe Cause of Action.
14. **Dina N. Slade v. Township of Hillside (Union) (2026-488)**
    - Motion to File Within Time Denied.
15. **Kevin Alexander v. Administrative Office of the Courts (2026-499)**
    - Not Within the Council's Jurisdiction.

Mr. Alexy called for a motion to accept the recommendations as written in all the above Administrative Complaint Dispositions. Ms. Berg Tabakin made a motion, which was seconded by Judge Carver. The motion passed by a unanimous vote

C. Administrative Disposition Adjudications – Summary Judgment with Recusals (Voice Vote):

1. **Michal Gontarczuk v. City of Newark (Essex) (2025-77) (SR Recusal)**
    - "Deemed" denial of access but no further action required due to disclosure.
    - Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

2. **M.A. v. Brick Township Police Department (Ocean) (2026-252) (SR Recusal)**
    - Lawful Denial of Access (N.J.S.A. 47:1A-2.2; N.J.S.A. 9:6-8, 10a).
    - Improper application of N.J.S.A. 47:1A-5(g)'s court order/discovery provision.

- Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

3. **David Weiner v. County of Essex (2025-8)**
    - "Deemed" denial of access.
    - No records exist. Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005).
    - Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

4. **Mark Lewyn v. NJ Department of Treasury (2025-132)**
    - Lawful denial of access (N.J.S.A. 47:1A-9(a); N.J.S.A. 46:30B-76.1).
    - Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

5. **Anthony Roman v. Old Bridge Police Department (Middlesex) (2025-206)**
    - Lawful denial of access (N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-9(a); N.J.S.A. 2C:25-33).
    - Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

6. **Joyce Ojo v. Township of Union Police Department (Union) (2025-272)**
    - Lawful denial of access (N.J.S.A. 47:1A-9(a); N.J.S.A. 2C:25-33).
    - Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

7. **David Weiner v. County of Essex (2026-93)**
    - Failure to submit a Statement of Information ("SOI"). N.J.A.C. 5:105-2.4(h).
    - "Deemed" denial of access and disclosure order.
    - Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

8. **Alia M. Jaludi v. Union City Police Department (Hudson) (2026-101)**
    - Lawful denial of access (N.J.S.A. 47:1A-1.1).

- Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

9. **Ryne Samuel Timms v. Borough of Raritan (Somerset) (2026-137)**
    - Lawful denial of access (N.J.S.A. 47:1A-1.1).
    - Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

10. **Helen A. Nolan v. Ringwood Police Department (Passaic) (2026-351)**
    - Failure to submit an SOI. N.J.A.C. 5:105-2.4(h).
    - Disclosure order.
    - Mr. Alexy called for any discussion on the recommendations as written. Hearing none, Mr. Alexy called for a voice vote to accept the recommendations as written. The motion passed unanimously by a voice vote of 5 Ayes and 0 Nays.

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

1. **Joseph Sams v. Mount Holly Fire District No. 1 (Burlington) (2026-61)**
    - Complaint Voluntarily Withdrawn.
2. **Ginevra Wilson v. NJ Office of the Governor (2026-103)**
    - Complaint Voluntarily Withdrawn.
3. **Michael Katz, Esq. v. Cinnaminson Police Department (Burlington) (2026-289)**
    - Complaint Settled in Mediation.
4. **Mark Kelly v. Hoboken Board of Education (Hudson) (2026-296)**
    - Complaint Settled in Mediation.
5. **Renee Nicole McCrady v. Borough of Pitman (Gloucester) (2026-402)**
    - Complaint Settled in Mediation.
6. **Peter Briskin v. Borough of Haledon (Passaic) (2026-424)**
    - Complaint Voluntarily Withdrawn.
7. **Jerome Greco v. City of Paterson (Passaic) (2026-448)**
    - Complaint Voluntarily Withdrawn.
8. **Harry Paden v. Township of Irvington (Essex) (2026-455)**
    - Complaint Settled in Mediation.
9. **Barbara Lance v. Lopatcong Township School District (Warren) (2026-457)**
    - Complaint Voluntarily Withdrawn.
10. **Courtney Diamond v. Borough of Stone Harbor (Cape May) (2026-467)**
    - Complaint Voluntarily Withdrawn.

11. **Avinash Melkote v. Holmdel Township Police Department (Monmouth) (2026-469)**
    - Complaint Voluntarily Withdrawn.
12. **Staci Stephens v. West Deptford Police Department (Gloucester) (2026-471)**
    - Complaint Voluntarily Withdrawn.
13. **Ronald Hampton v. Halzet Township Police Department (Monmouth) (2026-481)**
    - Complaint Voluntarily Withdrawn.
14. **Cristofer Slotoroff (o/b/o HipNoPaideia T&L, LLC) v. Delsea Regional Board of Education (Gloucester) (2026-523)**
    - Complaint Voluntarily Withdrawn.
15. **Cristofer Slotoroff (o/b/o HipNoPaideia T&L, LLC) v. Cedar Grove Township Board of Education (Essex) (2026-531)**
    - Complaint Voluntarily Withdrawn.
16. **Cristofer Slotoroff (o/b/o HipNoPaideia T&L, LLC) v. Little Egg Harbor Board of Education (Ocean) (2026-533)**
    - Complaint Voluntarily Withdrawn.
17. **Cristofer Slotoroff (o/b/o HipNoPaideia T&L, LLC) v. South Bound Brook Board of Education (Somerset) (2026-535)**
    - Complaint Voluntarily Withdrawn.
18. **Cristofer Slotoroff (o/b/o HipNoPaideia T&L, LLC) v. South Hackensack Board of Education (Bergen) (2026-537)**
    - 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): None

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

A. Individual Complaint Adjudications with Recusals:

1. **Kathleen Ma v. Port Authority of NY & NJ (2019-212) (AC Recusal)**
    - The Council should adopt the Administrative Law Judge's August 26, 2026 Initial Decision.
    - 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. Ms. Berg Tabakin made a motion, and Ms. Scutari seconded the motion. The motion passed by a unanimous vote; Judge Carver recused.

Mr. Alexy notified the public that Judge Carver would rejoin the meeting by unmuting himself. Mr. Caruso confirmed that Judge Carver rejoined the meeting.

B. Individual Complaint Adjudications with no Recusals:

1. **Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Blairstown Police Department (Warren) (2022-235)**
    - The Council should reject Custodian Counsel's request for reconsideration.
    - The Council's August 26, 2025 Final Decision remains in effect.
    - 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. Ms. Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

2. **Tyrone D. Williams v. City of Trenton (Mercer) (2023-137)**
    - The Custodian lawfully denied access to OPRA request item No. 1 because he certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
    - The Custodian lawfully denied access to the OPRA request seeking police investigation and special reports under the criminal investigatory exemption. N.J.S.A. 47:1A-1.1; 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).
    - The Custodian lawfully denied access to OPRA request item No. 5 seeking officer disciplinary records and administrative reviews
    - under the Internal Affairs Policy and Procedures. Rivera v. Union Cnty. Prosecutor's Office, 250 N.J. 124, 142 (2022).
    - The Custodian did not deny access to video footage and radio transmissions that Complainant asserted were at issue because he did not request them. Burns v. N.J. Dep't of State, Div. of Elec., GRC Complaint No. 2013-64 (September 2013).
    - 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. Ms.

Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

3. **Rita Fayvelevich v. Borough of High Bridge (Hunterdon) (2023-182)**
   - This complaint should be dismissed because the Complainant failed to state a claim. Loigman v. Monmouth Cnty. Prosecutor's Office, GRC Complaint No. 2013-342 (July 2014).
   - 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. Ms. Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

4. **Jonah Eng v. NJ Institute of Technology (2024-66)**
   - The Complainant's request is invalid because it would require the Custodian to perform research and create a new record. 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).
   - 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. Ms. Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

5. **Aakash Dalal v. Bergen County Prosecutor's Office (2024-132)**
   - This complaint should be dismissed because it was filed out of time and the Complainant failed to show good cause. N.J.S.A. 47:1A-6; Dalnoky v. Pinelands Reg'l Sch. Dist., 2023 N.J. Super. Unpub. LEXIS 2241 (App. Div. 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. Ms. Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

6. **Terry Peifer v. City of Trenton (Mercer) (2024-172)**
   - The Custodian complied with the Council's May 26, 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. Ms. Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

7. **Scott Madlinger v. Township of Toms River (Ocean) (2024-209)**
   - The Custodian's failure to timely respond to the Complainant's OPRA request item Nos. 2 and 8 seeking immediate access records resulted in a "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 Custodian did not unlawfully deny access to OPRA request item No. 2 because he disclosed the requested salary information. Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).
   - The Custodian lawfully denied access to OPRA request item No. 8 because he certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
   - The portion of the complaint regarding OPRA request item Nos. 1 and 3 through 7 should be dismissed as unripe because the Complainant filed it before the statutory time frame expired. Sallie v. N.J. Dep't of Banking & Ins., GRC Complaint No. 2007-226 (April 2009).
   - 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. Ms. Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

8. **Federick K. Short, Jr. v. Cherry Hill Public Schools (Camden) (2024-265)**
   - The Custodian'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 acted appropriately by directing the Complainant to the exact location on the internet where the responsive records resided. N.J.S.A. 47:1A-5(e).
   - The Custodian did not violate OPRA in not providing appeal information as part of her written response. N.J.S.A. 47:1A-5(j).
   - The Complainant is not a prevailing party.
   - 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. Ms. Berg Tabakin made a motion, and Judge Carver seconded the motion. The motion passed by a unanimous vote.

9. **Neil Thakkar v. Spring Lake Police Department (Monmouth) (2025-413)**
   - The Custodian's proposed special service charge of $1,984.00 for 21.3 hours at a rate of $1.55 per minute is warranted and reasonable. N.J.S.A. 47:1A-5(c); Courier Post v. Lenape Reg'l High Sch. Dist., 360 N.J. Super. 191, 199 (Oct. 28, 2002); Rivera v. Rutgers, The State Univ. of N.J., GRC Complaint No. 2009-311 (Interim Order dated May 29, 2012). Further, the Complainant failed to meet his burden that the charges were unreasonable. Thus, the Custodian shall disclose the responsive records upon remittance of the

appropriate fee. Paff v. City of Plainfield, GRC Complaint No. 2006-54 (July 2006).

- 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. Ms. Berg Tabakin 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: None

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

XI. Public Comment:

Mr. Gary Marek: Mr. Marek sought clarification on how the GRC determines which cases proceed to summary judgment. Mr. Caruso stated that assigned complaint managers will decide which complaints are ripe for summary judgment and there is no process for parties to request same.

XII. Adjournment:

Mr. Alexy called for a motion to end the Council meeting. Ms. Berg Tabakin made a motion, which was seconded by Judge Carver. The motion passed by a unanimous vote. The meeting adjourned at 2:12 p.m.

Respectfully submitted,

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John Alexy, Chair

Date Approved: November 5, 2026