



**Minutes of the Government Records Council
November 17, 2015 – Closed Session**

The Council convened in closed session at 1:38 p.m. in Conference Room 129 of the Department of Community Affairs, Trenton, New Jersey. In attendance were: Dominic Rota, Esq. (designee of Department of Education Commissioner David C. Hespe), Jason Martucci, Esq. (designee of Department of Community Affairs Commissioner Charles A. Richman), and Steven Ritardi, Esq. (Public Member).

Absent: Robin Berg Tabakin, Esq. (Chairwoman)

Also in attendance were GRC Staff: Joseph Glover (Executive Director), Rosemond Bordzoe (Secretary), Frank F. Caruso (Communications Specialist/Resource Manager), John Stewart, (Mediator), Ernest Bongiovanni, (Staff Attorney), Samuel Rosado, (Staff Attorney), Husna Kazmir (Staff Attorney), Deputy Attorney General Debra Allen.

Mr. Rota made a motion, seconded by Mr. Martucci, to go into closed session. The Council adopted the motion by a unanimous vote.

The Council met in closed session pursuant to N.J.S.A. 10:4-12(b)(7) to receive legal advice and discuss anticipated litigation in which the public body may become a party in the following matters:

- Michael Zahler v. Ocean County College (2013-266)
- Clarence F. Lear, III v. City of Cape May (Cape May) (2014-427)

Mr. Caruso introduced GRC Complaint No. 2013-266 to the Council. The Council reviewed the records *in camera*, reviewed the written recommendations, and received advice from DAG Allen. Mr. Ritardi had one question about the language of a conclusion. The Council consented to the decision based on their review and advice.

Mr. Caruso introduced GRC Complaint No. 2014-427 to the Council. Mr. Caruso noted that an issue herein was similar to an issue currently on appeal in the Appellate Division. DAG Allen provided legal advice regarding some courses of action and proposed certain alterations. DAG Allen also addressed a question from Mr. Rota. On the advice of DAG Allen, the Council chose to table the complaint.

Mr. Rota made a motion, seconded by Mr. Martucci, to end the closed session. The Council adopted the motion by a unanimous vote. The closed session meeting concluded at 1:59 p.m.

Respectfully Submitted:

Steven Ritardi, Esq., Secretary

Date Approved: December 15, 2015