



**Minutes of the Government Records Council
January 25, 2011 Public Meeting – Open Session**

The meeting was called to order at 1:06 p.m. at the Department of Community Affairs, Conference Room 126, Trenton, New Jersey. The Open Public Meetings Act statement was read by Ms. Tabakin.

The pledge of allegiance was recited while all stood in salute to the American flag.

The meeting notice and fire emergency procedure were read by Ms. Tabakin.

Ms. Lownie called the roll:

Present: Robin Berg Tabakin, Chairwoman, Charles Richman (designee of Department of Community Affairs Commissioner Lori Grifa) and Denise Parkinson Vetti (designee of Department of Education Acting Commissioner Christopher D. Cerf).

GRC Staff In Attendance: Executive Director Catherine Starghill, Communications Manager Dara Lownie, Mediator John Stewart, Case Managers: Frank Caruso, Harlynn Lack and Darryl Rhone, Designated Outside Counsel Joseph Maddaloni, Deputy Attorney General Debra Allen and Stacy Spera (designee of Department of Community Affairs Commissioner Lori Grifa) via teleconference for the sole purpose of approving the November 30, 2010 closed session minutes.

Ms. Tabakin read the Closed Session Resolution to go into 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 matter:

1. Nancy Lewen v. Robbinsville Public School District (Mercer) (2008-211)

A motion was made to go into closed session by Mr. Richman and seconded by Ms. Vetti. The motion was adopted by a unanimous vote. A motion was made by Mr. Richman and seconded by Ms. Vetti to end the closed session. The motion was adopted by a unanimous vote. The Council met in closed session from 1:09 p.m. until 1:51 p.m.

Open Session reconvened at 1:52 p.m. and Ms. Lownie called roll.

Present: Ms. Tabakin, Mr. Richman, Ms. Vetti and Stacy Spera (designee of Department of Community Affairs Commissioner Lori Grifa) via telephone for the sole purpose of approving the November 30, 2010 closed session minutes.

A motion was made by Mr. Richman and seconded by Ms. Vetti to approve the open session minutes of the November 30, 2010 meeting. The motion passed by a unanimous vote.

A motion was made by Ms. Spera and seconded by Ms. Vetti to approve the closed session minutes of the November 30, 2010 meeting. The motion passed by a unanimous vote.

A motion was made by Mr. Richman and seconded by Ms. Vetti to approve the open session minutes of the December 21, 2010 meeting. The motion passed by a unanimous vote.

A motion was made by Mr. Richman and seconded by Ms. Vetti to approve the closed session minutes of the December 21, 2010 meeting. The motion passed by a unanimous vote.

Council Adjudication:

The following complaints were presented to the Council for summary administrative adjudication:

1. Michael T. Torrell v. Township of Long Beach (Ocean) (2009-230)
2. Edward Robinson v. Camden County Prosecutor's Office (2009-298)
3. John Paff v. Township of North Bergen (Hudson) (2010-201)
4. Terrel Harris v. NJ Department of Education (2010-262)
5. Natalie M. Mintchwarner v. Township of Edison (Middlesex) (2010-309)
6. Tom Quigley v. NJ Department of Law & Public Safety, NJ State Police (2010-313)
7. Mark L. Tompkins v. Essex County Superior Court (2010-331)
8. Mark L. Tompkins v. Newark Municipal Court (Essex) (2010-332)
9. Douglas P. LaCrua v. Borough of South Bound Brook (Somerset), 2010-335
10. Douglas P. LaCrua v. Borough of South Bound Brook (Somerset), 2010-336
11. Richard Rivera v. Township of Lumberton (Burlington) (2011-04)
12. Richard Rivera v. Township of Lumberton (Burlington) (2011-05)
13. Martha Kremer v. Township of Stafford (Ocean) (2011-08)

Ms. Tabakin called for a motion to accept the Executive Director's recommendations as written in all of the above Administrative Complaint Dispositions. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

The following complaints requiring individual adjudication were not put to a vote due to the lack of quorum:

1. James D'Andrea v. NJ Department of Community Affairs, Division of Local Government Services (2007-64)
2. William Gettler v. Wantage Regional Schools, Board of Education (Sussex) (2007-105)
3. Joyce Blay v. Jackson Board of Education (Ocean) (2007-177)
4. John Paff v. Borough of Lavallette (Ocean) (2007-209)
5. David Hinchcliffe v. NJ Department of Community Affairs, Division of Local Government Services (2007-306)

6. John Bentz v. Borough of Paramus (Bergen) (2008-89)
7. J.C. v. NJ Department of Education, Deputy Commissioner's Office (2008-91)
8. Robert Verry v. Borough of South Bound Brook (Somerset) (2008-161)
9. Gertrude Casselle v. NJ Department of Community Affairs, Division on Community Resources (2008-248)
10. Ursula Cargill v. NJ Department of Education (2009-9)
11. Ursula Cargill v. State Ethics Commission (2009-10)
12. Jason Alt v. NJ Department of Education (2009-114)
13. Joseph Armenti v. Robbinsville Board of Education (Mercer) (2009-154)
14. William Cimochoowski v. NJ Department of Community Affairs, Div of Codes & Standards, Office of Code Enforcement (2009-261)
15. Michael Pushko v. NJ Department of Community Affairs, Division of Housing & Community Resources (2009-269)

The following complaints requiring individual adjudication were put to a vote:

Nancy Lewen v. Robbinsville Public School District (Mercer) (2008-211)

Ms. Tabakin tabled the adjudication of this complaint until the next meeting.

Jesse Wolosky v. Township of Green (Sussex) (2009-15)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Thomas T. Turner, III v. Plainfield Municipal Utilities Authority (Union) (2009-176)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Larry A. Kohn v. Township of Livingston (Essex) (2009-203)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Larry A. Kohn v. Township of Livingston (Essex) (2009-211)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Robert G. Campbell v. Township of Downe (Cumberland) (2009-219)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Tom Roarty v. Secaucus Board of Education (Hudson) (2009-221)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Robert A. Verry v. Borough of South Bound Brook (Somerset) (2009-237)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Jesse Wolosky v. Township of Frankford (Sussex) (2009-242)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Lois A. Lebbing v. Borough of Highland Park (Middlesex) (2009-251)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Kimberly Smela v. City of Newark (Essex) (2009-254)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Caryl VanBaaren v. City of Bayonne (Hudson) (2009-262)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Joan McGee v. Township of East Amwell (Hunterdon) (2009-275)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Bradley Peterson v. NJ Department of Corrections, New Jersey State Prison (2009-319)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Richard Rivera v. Township of Monroe, Police Department (Middlesex) (2009-331)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Adrian O. Mapp v. Borough of Roselle (Union) (2009-334)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Vesselin Dittrich v. City of Hoboken (Hudson) (2010-59)

Ms. Tabakin called for a motion to accept the amended Executive Director's findings and recommendations. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Michael J. Mangeri v. Monroe Township Board of Fire Commissioners of District #1 (Gloucester) (2010-70)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Michael R. Schiavoni v. Sparta School District (Sussex) (2010-73)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Brian K. Bragg v. NJ Motor Vehicles Commission (2010-116)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Anthony F. Argento, III v. NJ Civil Service Commission (2010-124)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Rory W. Moore v. Township of Nutley (Essex) (2010-125)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. A motion was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Complaints on Appeal: John Allen v. Mercer County Prosecutor Office, Docket No. A-2972-09T (App. Div. January 5, 2011). On appeal from GRC Complaint No. 2009-38.

Complaints Adjudicated on NJ Superior Court & NJ Supreme Court: None.

Executive Director's Report and New Business: Ms. Starghill stated that she will be conducting an OPRA training on Friday January 28, 2011 from 9:30 a.m. – 1:00 p.m. at the New Jersey Forensic Science Technology Center, 1200 Negron Drive Hamilton, NJ 08691 for records custodians of state agencies and colleges.

Ms. Starghill also stated that she submitted an article for the League of Municipalities' March issue of its magazine, *New Jersey Municipalities*. Ms. Starghill indicated that she submitted this article for the March issue to coincide with National Sunshine Week which recognizes transparency in government. Ms. Starghill stated that the article includes an 8 step guide for custodians to follow when responding to OPRA requests.

Public Comment: None.

A motion to end the Council's meeting was made by Mr. Richman and seconded by Ms. Vetti. The motion passed unanimously.

Meeting adjourned at 2:10 p.m.

Respectfully submitted,

Charles A. Richman, Secretary

Date Approved: February 24, 2011