



**Minutes of the Government Records Council
March 27, 2012 Public Meeting – Open Session**

The meeting was called to order at 10:35 a.m. at the Department of Community Affairs, Conference Room 129, Trenton, New Jersey. Ms. Tabakin read the Open Public Meetings Act statement.

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

Ms. Tabakin read the meeting notice and fire emergency procedure.

Ms. Lillie called the roll:

Present: Robin Berg Tabakin, Esq. (Chairwoman), Joyce Paul (designee of Department of Community Affairs Acting Commissioner Richard E. Constable, III) and Steven Ritardi, Esq. (public member).

GRC Staff In Attendance: Catherine Starghill (Executive Director), Karyn Gordon (In-House Counsel), Brigitte Lillie (Secretary), Dara Lownie (Communications Manager), Frank Caruso (Senior Case Manager), Harlynn Lack (Case Manager), Darryl Rhone (Case Manager), Debra Allen (Deputy Attorney General) and Joni Noble McDonnell (Designated Outside Counsel).

The Council put the following meeting minutes requiring approval to a vote:

Ms. Paul noted that Charles Richman (former designee of Department of Community Affairs Acting Commissioner Richard E. Constable, III) briefed her on the events of the February 28, 2012 meeting so she is able to vote to approve said minutes.

February 28, 2012 Open Session Minutes

Mr. Ritardi made a motion and Ms. Paul seconded the motion to approve the open session minutes of the February 28, 2012 meeting. The motion passed by a unanimous vote.

February 28, 2012 Closed Session Minutes

Mr. Ritardi made a motion and Ms. Paul seconded the motion to approve the closed session minutes of the February 28, 2012 meeting. The motion passed by a unanimous vote.

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/or discuss anticipated litigation in which the public body may become a party in the following matters:

1. Regina Okafor v. Township of Irvington (Essex) (2008-214)
2. Richard Rivera v. City of Camden (Camden) (2010-182) (*In-Camera*)

Mr. Ritardi made a motion to go into closed session and Ms. Paul seconded the motion. The Council adopted the motion by a unanimous vote. Mr. Ritardi made a motion to end the closed session and Ms. Paul seconded the motion. The Council adopted the motion by a unanimous vote. The Council met in closed session from 10:40 a.m. until 11:00 a.m.

Open Session reconvened at 11:01 a.m. and Ms. Lillie called roll.

Present: Ms. Tabakin, Ms. Paul and Mr. Ritardi.

Council Adjudications:

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

1. Edward Correa v. Town of Dover (Morris) (2010-203)
2. Larry A. Kohn v. Township of Livingston (Essex) (2010-305)
3. Lester M. Denmon v. NJ Department of Corrections (2010-314)
4. Randy Paulenich v. Borough of Hopatcong (Sussex) (2011-40)
5. Jeremy Rosen (On behalf of the Courier-Post) v. City of Camden (Camden) (2011-250)
6. Jeremy Rosen (On behalf of the Courier-Post) v. City of Camden (Camden) (2011-251)
7. Jeremy Rosen (On behalf of the Courier-Post) v. City of Camden (Camden) (2011-252)
8. Jeremy Rosen (On behalf of the Courier-Post) v. City of Camden (Camden) (2011-254)
9. Jeremy Rosen (On behalf of the Courier-Post) v. City of Camden (Camden) (2011-255)
10. Dr. James P. Verbist v. Jersey City Incinerator Authority (Hudson) (2011-291)
11. Reggie Regrut v. Town of Phillipsburg (Warren) (2011-310)
12. Thomas Caggiano v. NJ Department of Community Affairs, Division of Local Government Services (2011-239)
13. Karen Jones v. Phillipsburg Police Department (Warren) (2011-349)
14. Steven Farman v. East Brunswick Board of Education (Middlesex) (2011-367)
15. David H. Weiner v. Rowan University (2011-374)
16. Colin G. Bell v. NJ Department of Treasury, Division of Purchase & Property (2011-381)
17. Douglas Wicks v. Piscataway Township School District (Middlesex) (2012-13)

18. Jeremy Rosen (on behalf of the Courier-Post) v. Camden City School District (Camdn) (2012-17)
19. Dr. Alan Bell v. Paterson Public Schools (Passaic) (2012-39)
20. Stephanie M. Brown v. Township of Jackson (Ocean) (2012-40)
21. Al Smith v. NJ Department of Environmental Protection (2012-44)
22. Colleen Graham v. Burlington County Board of Freeholders (2012-46)
23. Paul Gallagher (on behalf of the Executive Committee of the Stone Harbor Education Association) v. Avalon Board of Education (Cape May) (2012-50)

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

The Council put the following complaints requiring individual adjudication to a vote:

Jesse Wolosky v. Andover Regional School District (Sussex) (2009-94)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. 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. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Richard Rivera v. City of Plainfield, Plainfield Police Department (Union) (2009-317)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. 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. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

John Sebastian v. Borough of Ramsey (Bergen) (2010-42)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

George Burdick, Jr. v. Township of Franklin (Hunterdon) (2010-99)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Richard Rivera v. City of Camden (Camden) (2010-182)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Jesse Wolosky v. Township of East Hanover (Morris) (2010-185)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Jesse Wolosky v. Township of Denville (Morris) (2010-191)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Mary Steinhauer-Kula v. Township of Downe (Cumberland) (2010-197)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Mary Steinhauer-Kula v. Township of Downe (Cumberland) (2010-198)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Mary Steinhauer-Kula v. Township of Downe (Cumberland) (2010-200)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Sabino Valdes v. Union City Board of Education (Hudson) (2010-218)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Jesse Wolosky v. Town of Morristown (Morris) (2010-225)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Sabino Valdes v. NJ Department of Education (2010-256)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Sabino Valdes v. Township of Belleville (Essex) (2010-258)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Tucker Kelley v. Rockaway Township (Morris) (2010-269)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Shawn Smith v. NJ Department of Corrections (2010-278)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Harry Hersh v. Lakewood Board of Education (Ocean) (2010-283)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Louis Paul Toscano v. NJ Department of Labor, Division of Vocational Rehabilitation Services (2010-293)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Kenneth Vercammen v. Township of West Windsor (Mercer) (2010-297)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Larry A. Kohn v. Township of Livingston (Essex) (2010-303)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Larry A. Kohn v. Township of Livingston (Essex) (2010-304)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Jesse Wolosky v. Township of Parsippany-Troy Hills (Morris) (2010-317)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Raheem Taylor v. NJ Department of Corrections (2010-319)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Cynthia Burton (on behalf of The Philadelphia Inquirer) v. NJ Office of Governor (2010-320)

Cynthia Burton (on behalf of The Philadelphia Inquirer) v. NJ Office of Governor (2010-321)

Cynthia Burton (on behalf of The Philadelphia Inquirer) v. NJ Office of Governor (2010-322) (combined into one findings and recommendations)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Vladimir Pavlenko v. Township of Delran (Burlington) (2010-325)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Owen Urbay v. Township of West Orange (Essex) (2011-1)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Gregory W. Kasko v. Town of Westfield (Union) (2011-6)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Saverio Squicciarini v. Township of Berkley, Police Department (Ocean) (2011-18)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Sabino Valdes v. NJ Department of Education, Office of the Chief of Staff (2011-24)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Sabino Valdes v. Union City Board of Education (Hudson) (2011-27)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

Thomas Caggiano (Inside on the Outside, a State of NV Publishing Firm) v. Borough of Stanhope (Sussex) (2012-25)

Ms. Tabakin called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion and Ms. Paul seconded the motion. The motion passed unanimously.

The Council tabled the adjudication of the following complaints:

1. David Hinchcliffe v. NJ Department of Community Affairs, Division of Local Government Services (2007-306)
2. William L. Scott v. County of Essex (2010-169)
3. Richard Rivera v. City of Newark (Essex) (2010-274)
4. Daniel Gatson v. Morris County Prosecutor's Office (2010-276)
5. Robert A. Verry v. Borough of South Bound Brook (Somerset) (2010-302)
6. Quran Goodman v. Essex County Prosecutor's Office (2010-323)
7. Robert A. Verry v. Borough of South Bound Brook (Somerset) (2010-337)

GRC Complaints on Appeal: None.

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

Executive Director's Report and New Business: Ms. Starghill informed the Council that the staff is putting together aggressive agendas to work through the backlog of complaints.

Ms. Starghill also informed the Council that Dara Lownie (Communications Manager) is getting married this weekend and will be out of the office for two weeks.

Lastly, Ms. Starghill informed the Council that we should be receiving a new public member sometime soon.

Public Comment: None.

Ms. Tabakin thanked Ms. Paul for attending the meeting on behalf of the acting Commissioner. Ms. Tabakin wished everyone a happy holiday season.

Mr. Ritardi made a motion to end the Council's meeting and Ms. Paul seconded the motion. The motion passed unanimously.

Meeting adjourned at 11:11 a.m

Respectfully submitted,

Robin Berg Tabakin, Chairwoman

Date Approved: April 25, 2012