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State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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JACQUELYN A. SUÁREZ
Commissioner

NOTICE OF MEETING
Government Records Council
August 26, 2025

Pursuant to the Open Public Meetings Act, notice is hereby given that the Government Records Council will hold a regular meeting, at which formal action may be taken, commencing at 1:30 p.m., Tuesday, August 26, 2025, via Office Teams. Members of the public may attend the meeting by utilizing the following call-in information:

Telephone Number: 1-856-338-7074

Conference ID: 126 639 081#

The agenda, to the extent presently known, is listed below. The public session and consideration of cases is expected to commence at 1:30 p.m. remotely.

I. Public Session:

Call to Order
Pledge of Allegiance
Meeting Notice
Roll Call

II. Executive Director's Report

III. Closed Session

IV. Approval of Minutes of Previous Meetings:

July 29, 2025, Open Session Meeting Minutes
July 29, 2025, Closed Session Meeting Minutes

V. New Business – Cases Scheduled for Consent Agenda Administrative Complaint Disposition Adjudication *

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 Executive Director's recommended reason for the Administrative Disposition is under each complaint below.

A. Administrative Disposition Adjudications – New Category

- Anonymous Complaints Not Permitted – As the Council knows, an amendment made to OPRA on September 4, 2024, now prohibits anonymous requestors from filing a Denial of Access Complaint. N.J.S.A. 47:1A-5(f); N.J.S.A. 47:1A-6. While the GRC screens Denial of Access Complaint submissions for anonymous filings and rejects them prior to intake, there may be instances where an anonymous complaint is inadvertently accepted. Thus, this category is proposed to address complaints when a requestor is anonymous or files under a pseudonym that is not immediately recognizable as an attempt to file an anonymous complaint. This category is consistent with the previously cited amended OPRA language.

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

1. John S. Hilkevich v. NJ Department of Corrections (2022-300) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
2. Miguel Ramos v. NJ Department of Corrections (2022-531) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
3. Patrick Bender v. Morris County Sheriff's Office (2022-656) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
4. Bianca Barber v. City of Newark (Essex) (2025-9) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
5. Jennie Santiago v. City of Jersey City, Division of City Planning (Hudson) (2025-12) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**

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

1. Abussamaa Rasul Ramziddin v. Township of Lawrence (Mercer) (2023-231)
 - All Records Responsive Provided in a Timely Manner.
2. Jahkoy Monsanto v. Somerset County Jail (2023-290)
 - Unripe Cause of Action.
3. Bernard J. Meenan, Jr. v. Township of Edgewater Park (Burlington) (2024-49)
 - Unripe Cause of Action.

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| <ol style="list-style-type: none">4. Frank James v. Borough of Roselle (Union) (2025-151)5. Frank James v. Borough of Roselle (Union) (2025-152)6. Frank James v. Borough of Roselle (Union) (2025-153)7. Frank James v. Borough of Roselle (Union) (2025-154)8. Frank James v. Borough of Roselle (Union) (2025-155)9. Frank James v. Borough of Roselle (Union) (2025-156)10. Frank James v. Borough of Roselle (Union) (2025-157) CONSOLIDATED |
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- Anonymous Complaints Not Permitted.
11. Nalda M. Pineiro v. Perth Amboy Police Department (Middlesex) (2025-160)
 - Motion to File Within Time Denied.
 12. Isabela Perdomo v. Borough of Little Ferry (Bergen) (2025-173)
 - Motion to File Within Time Denied.
 13. James Butler v. Township of West Caldwell (Essex) (2025-190)
 - Unripe Cause of Action.
 14. James Butler v. Township of West Caldwell (Essex) (2025-193)
 - Unripe Cause of Action.

15. Allen D. Leonard v. Township of Union Municipal Court (Union) (2025-227)
 - Not Within the Council’s Jurisdiction.

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

1. Roosevelt N. Nesmith (o/b/o Les Leopold) v. NJ Board of Public Utilities (2022-53)
 - Complaint Voluntarily Withdrawn.
2. Deirdre Birmingham v. Township of Montclair (Essex) (2022-639)
 - Complaint Voluntarily Withdrawn.
3. Caroline Rankovic (Twombly) v. City of Cape May (Cape May) (2023-3)
 - Complaint Voluntarily Withdrawn.
4. Ronald Zoda v. Ewing Township (Mercer) (2023-209)
 - Complaint Voluntarily Withdrawn.
5. Lori Cintron v. Community Charter School of Paterson (Passaic) (2023-295)
 - Complaint Voluntarily Withdrawn.
6. Suzanne Ragone v. NJ Department of Human Services (2023-300)
 - Complaint Voluntarily Withdrawn.
7. James M. Lange v. Township of Cranford (Union) (2024-52)
 - Complaint Voluntarily Withdrawn.
8. Angela Brown v. East Brunswick Police Department (Middlesex) (2024-70)
 - Complaint Voluntarily Withdrawn.
9. Wassim Elhouar v. Montclair State University (2025-21)
 - Complaint Settled in Mediation.
10. Avinash Melkote v. City of Jersey City (Hudson) (2025-28)
 - Complaint Settled in Mediation.
11. Avinash Melkote v. City of Jersey City (Hudson) (2025-49)
 - Complaint Settled in Mediation.
12. Nicolas Sodano v. Township of Mt. Holly (Burlington) (2025-93)
 - Complaint Settled in Mediation.
13. Carlos Cruz v. NJ Department of Corrections (2025-130)
 - Complaint Settled in Mediation.
14. Brian M. Linares-Ponce, Esq. (o/b/o Maria Giminez Yepez) v. Irvington Police Department (Essex) (2025-217)
 - Complaint Voluntarily Withdrawn.

VI. New Business – Cases Scheduled for Consent Agenda Administrative Order

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):

1. Dan Halper v. Rutgers University (2023-141) **(RC & SR Recusal)**
 - **Cannot be adjudicated due to lack of quorum.**

B. Administrative Orders with No Recusals (Consent Agenda): None

VII. New Business – Cases Scheduled for Individual Complaint Adjudication

The Executive Director's recommended action is under each complaint below.

A. Individual Complaint Adjudications with Recusals:

1. Perrault Jean Paul v. City of Jersey City (Hudson) (2022-317) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
2. Kevin Lawrence Conley v. County of Hudson (2022-438) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
3. Scott Madlinger v. City of Jersey City (Hudson) (2022-525) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
4. Andre Graves-Byrd v. NJ Department of Corrections (2022-608) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
5. Brian Scott Morton v. NJ Civil Service Commission (2023-138) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
6. John Paff v. Township of Edison (Middlesex) (2023-168) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
7. John Paff v. City of Jersey City (Hudson) (2023-252) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
8. James Butler v. Borough of Caldwell (Essex) (2025-85) (SR Recusal)
 - **Cannot be adjudicated due to lack of quorum.**
9. Maria Diamonte v. Rutgers University (2022-355) (RC & SR Recusals)
 - **Cannot be adjudicated due to lack of quorum.**
10. Maria Diamonte v. Rutgers University (2022-388) (RC & SR Recusals)
 - **Cannot be adjudicated due to lack of quorum.**
11. Maria Diamonte v. Rutgers University (2022-398) (RC & SR Recusals)
 - **Cannot be adjudicated due to lack of quorum.**

B. Individual Complaint Adjudications with no Recusals:

1. Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute & Baffi Obafemi) v. Middletown Township Police Department (Monmouth) (2022-195)
 - Ms. Bowman'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 unlawfully denied access to the requested settlement agreements and must disclose them to the Complainant. N.J.S.A. 47:1A-6; Libertarians for Transparent Gov't v. Cumberland Cnty., 250 N.J. 46 (2022).
 - The Custodian did not unlawfully deny access to the portion of the Complainant's OPRA request seeking disclosable personnel information because all records were disclosed. Owoh, Esq. (O.B.O. AADARI) v. Voorhees Twp. Police Dep't (Camden), GRC Complaint No. 2022-12 (March 2024).
 - The Complainant is a prevailing party.

2. Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute & Baffi Obafemi) v. Township of Brick Police Department (Ocean) (2022-214)
 - The Custodian’s proposed special service charge of \$720.00 for 24 hours at an hourly rate of \$30.00 is warranted and reasonable. N.J.S.A. 47:1A-5(c); Courier Post v. Lenape Reg’l High Sch., 360 N.J. Super. 191, 204 (Law Div. 2002); Owoh, Esq. (O.B.O. AADARI) v. Elizabeth Police Dep’t (Union), GRC Complaint No. 2020-39 (Interim Order dated June 29, 2021). 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).
 - The Complainant is not a prevailing party.
3. Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Ridgewood Police Department (Bergen) (2022-234)
 - The Custodian unlawfully denied access to the requested complaints and summonses. Simmons v. Mercado, 247 N.J. 24 (2022). Thus, the Custodian shall locate through the eCDR system and disclose all responsive records not already provided to the Complainant in a May 2, 2022 response.
 - The Complainant is a prevailing party.
4. Rotimi Owoh, Esq. (o/b/o African American Data & Research Institute) v. Blairstown Police Department (Warren) (2022-235)
 - 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, GRC 2007-272.
 - The Custodian unlawfully denied access to the portion of the Complainant’s OPRA request seeking personnel information because the disclosed list was derived from individual physical records. Valdes v. Union City Bd. of Educ. (Hudson), GRC Complaint No. 2011-64 (Interim Order dated August 28, 2012). The Custodian shall thus locate and provide responsive personnel records containing the information sought.
 - The Complainant is a prevailing party.
5. Elaine P. Stevens v. Borough of Spring Lake Heights (Monmouth) (2022-249)
 - 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 improperly deployed the “Glomar” response to deny access to the Complainant’s OPRA request. Coulter v. N.J. State Police, GRC Complaint No. 2021-87 (Final Decision dated December 13, 2022).
 - The responsive police reports are exempt from disclosure 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). Thus, the Custodian lawfully denied access to the responsive records. N.J.S.A. 47:1A-6.
6. Anne Vukicevich v. Moorestown Township (Burlington) (2022-251)
 - No “deemed” denial of access occurred because the Custodian’s timely attempt to respond to the March 25, 2024 OPRA request was obstructed by an uncontrollable technological error. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i);

Anonymous v. Borough of Haledon (Passaic), GRC Complaint No. 2022-222 (October 2023).

- The Complainant's March 4, 2022 request is invalid because it failed to include sufficient identifiers necessary for the Custodian to perform a search. 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); Lagerkvist v. Office of the Governor, 443 N.J. Super. 230, 236-237 (App. Div. 2015); Ciszewski v. Newton Twp. Police Dep't (Sussex), GRC Complaint No. 2013-90 (October 2013).

7. Victorina Salvador v. City of Union City (Hudson) (2022-637)

- 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's request for reconsideration should be denied.
- The Council should, of its own volition pursuant to N.J.A.C. 5:105-2.10(a), reconsider its June 24, 2025 *In Camera* Administrative Order by rescinding same and finding that based on Morris v. City of Union, et al., Docket No. HUD-L-3191-23 (February 9, 2024), the Custodian lawfully denied access to the responsive recording.

8. James Griglio v. Port Authority of NY & NJ (2022-670)

- Because the parties failed to reach a fee agreement and Complainant's Counsel timely submitted a fee application, the Council should determine the fee amount.
- The Council should find that Complainant's Counsel is entitled to a fee award of \$2,047.50 representing 5.87 hours of service at \$350.00 per hour.

9. Robert C. Scutro v. City of Linden (Union) (2023-175)

- The Custodian lawfully denied access to the requested global positioning system ("GPS") for enforcement vehicle No. 744 under the security and surveillance exemption. N.J.S.A. 47:1A-1.1; Fano v. N.J. Dep't of Human Servs., Office of Legal Reg. Affairs, GRC Complaint No. 2012-148 (May 2013).
- The Custodian lawfully denied access to the portion of the Complainant's OPRA request seeking GPS records for the Auxiliary Police vehicle because he certified, and the record reflects, that no records exist. Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005).

10. Priscilla J. Triolo, Esq. (o/b/o Ashley Mojka-Kazanchy) v. Township of Randolph (Morris) (2023-232)

- This complaint should be dismissed based on the parties' executed "Stipulation of Dismissal." Thus, no further adjudication is required.

11. Brian McMillan v. Borough of Cliffside Park (Bergen) (2023-283)

- 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 lawfully denied access to the requested body-worn camera ("BWC") footage under N.J.S.A. 40A:14-118.5(l)(1) because it was subject to the 180-day minimum retention period and the Complainant failed to provide

evidence that the footage was subject to any additional retention periods. N.J.S.A. 47:1A-6.

12. Gina Pope v. Borough of Merchantville Police Department (Camden) (2023-285)

- The Custodian unlawfully denied access to the responsive BWC footage under the investigation in progress exemption. N. Jersey Media Grp., Inc., 229 N.J. 541; Colvell v. Hightstown Police Dep't (Mercer), GRC Complaint No. 2019-134 (March 2021). Thus, the Custodian shall disclose the responsive BWC footage, with redactions where applicable.

VIII. Court Decisions of GRC Complaints on Appeal:

IX. Complaints Adjudicated in NJ Superior Court & NJ Supreme Court:

- E.Z. v. Deptford Twp. Bd. of Educ., 2025 N.J. Super. Unpub. LEXIS 1577 (App. Div. 2025)

X. Complaints Adjudicated in U.S. District Court:

XI. Public Comment:

The public comment period is limited to providing an opportunity for speakers to present suggestions, views and comments relevant to the Council's functions and responsibilities. In the interest of time, speakers shall be limited to **five (5) minutes** per the GRC's By-Laws. Speakers shall not be permitted to make oral or written testimony regarding pending or scheduled adjudications.*

XII. Adjournment

*Neither attorneys nor other representatives of the parties are required to attend this meeting nor will they be permitted to make oral or written comment during the adjudication.