State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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NOTICE OF MEETING
Government Records Council
January 27, 2026

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, January 27, 2026, 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. 2026 Officer Elections

III. Executive Director's Report

IV. Closed Session

V. Approval of Minutes of Previous Meetings:

December 9, 2026 Open Session Meeting Minutes

VI. 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 with Recusals (Consent Agenda):

1. John S. Hilkevich v. NJ Department of Corrections (2022-300) **(RBT and SR Recusals)**
    - Unable to Locate Complainant.
2. Miguel Ramos v. NJ Department of Corrections (2022-531) **(RBT and SR Recusals)**
    - Unable to Locate Complainant.
3. Patrick Bender v. Morris County Sheriff's Office, Bureau of Corrections (2022-656) **(SR Recusal)**
    - Unripe Cause of Action.
4. Mark L. Tompkins v. Newark Police Division (Essex) (2023-5) **(SR Recusal)**
    - No Correspondence Received by the Custodian.
5. Bianca Barber v. City of Newark (Essex) (2025-9) **(SR Recusal)**
    - Complaint Untimely Filed.
6. Jennie Santiago v. City of Jersey City, Division of City Planning (Hudson) (2025-12) **(SR Recusal)**
    - Not a Valid OPRA Request.
7. David J. Durling v. NJ Department of Corrections (2025-135) **(RBT and SR Recusals)**
    - No Records Responsive to the Request Exist.
8. Rafael Miranda v. NJ Department of Corrections (2025-141) **(RBT and SR Recusals)**
    - Unable to Locate Complainant.
9. David J. Durling v. NJ Department of Corrections (2025-199) **(RBT and SR Recusals)**
    - Duplicate Complaint Filed With the GRC.
10. Michael Stevens v. County of Hudson (2025-260) **(SR Recusal)**
    - Motion to File Within Time Denied.
11. Michael Stevens v. County of Hudson (2025-267) **(SR Recusal)**
    - Motion to File Within Time Denied.
12. Dawshon Fitzgerald v. NJ Department of Corrections (2025-318) **(RBT and SR Recusals)**
    - All Records Responsive Provided in a Timely Manner.
13. Dawmeen Fitzgerald v. NJ Department of Corrections (2025-323) **(RBT and SR Recusals)**
    - All Records Responsive Provided in a Timely Manner.
14. Chris Krol v. Rutgers University (2025-194) **(RBT and RC Recusals)**
    - Motion to File Within Time Denied.

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

1. Everett Falt v. Borough of Carteret (Middlesex) (2025-149)
    - Duplicate Complaint Filed With the GRC.
2. Derrick Wilson v. Borough of Cresskill (Bergen) (2025-249)
    - Unripe Cause of Action.
3. Roberto Feliz Betancourt v. Bayonne Housing Authority (Hudson) (2025-309)
    - Duplicate Complaint Filed With the GRC.
4. Kristine Tamondong v. Northern Burlington County Regional High School (2025-336)
    - Unripe Cause of Action.
5. Isabela Perdomo v. Little Ferry Police Department (Bergen) (2025-354)
    - All Records Responsive Provided in a Timely Manner.

6. Carl Feren v. Jackson School District (Ocean) (2025-373)
    - Motion to File Within Time Denied.
7. Alfred Tard-El v. Township of East Windsor (Mercer) (2025-383)
    - Duplicate Complaint Filed With the GRC.
8. Judson Moore v. Commercial Township (Cumberland) (2025-402)
    - All Records Responsive Provided in a Timely Manner.
9. Judson Moore v. Commercial Township (Cumberland) (2025-440)
    - All Records Responsive Provided in a Timely Manner.

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

1. Kevin Kearns v. City of Long Branch (Monmouth) (2025-145)
    - Complaint Settled in Mediation.
2. Brady Connaughton, Esq. (o/b/o Local 16-248) v. City of Ocean City (Cape May) (2025-195)
    - Complaint Voluntarily Withdrawn.
3. Marvin Chambers v. Passaic Board of Education (Passaic) (2025-197)
    - Complaint Settled in Mediation.
4. Jose L. Gonzalez, Jr. v. Trenton Housing Authority (Mercer) (2025-256)
    - Complaint Voluntarily Withdrawn.
5. Jeffrey Craig Hervey v. Bergen County Prosecutor's Office (2025-271)
    - Complaint Settled in Mediation.
6. Alix Hayes v. Township of Ocean School District (Monmouth) (2025-284)
    - Complaint Settled in Mediation.
7. Lonny DiTella v. NJ State Police (2025-288)
    - Complaint Voluntarily Withdrawn.
8. Patrick Terpstra v. City of Newark (Essex) (2025-315)
    - Complaint Voluntarily Withdrawn.
9. Adamo Ferreira (o/b/o Michael Kaplon) v. Long Beach Township (Ocean) (2025-348)
    - Complaint Voluntarily Withdrawn.
10. Michael Del Greco v. City of Jersey City (Hudson) (2025-358)
    - Complaint Voluntarily Withdrawn.

VII. 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) **(RBT and RC Recusals)**
    - *In Camera* Review.

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

VIII. 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)**
    - The Custodian failed to respond to the Complainant's OPRA request immediately, thereby violating N.J.S.A. 47:1A-5(e).
    - The Custodian's response was insufficient because he 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 lawfully denied access to the Complainant's OPRA request seeking a contract 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).

2. Kevin Lawrence Conley v. County of Hudson (2022-438) **(SR Recusal)**
    - The Custodian's failure to timely respond to the Complainant's OPRA request resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i). However, the GRC declines to order disclosure because the Custodian did so on September 7, 2022 and as part of the Statement of Information ("SOI").
    - There is no knowing and willful violation.

3. Scott Madlinger v. City of Jersey City (Hudson) (2022-525) **(SR Recusal)**
    - The Custodian unlawfully denied access to the Complainant's OPRA request and shall disclose responsive records to him. N.J.S.A. 47:1A-6.
    - The Complainant is a prevailing party.

4. Andre Graves-Byrd v. NJ Department of Corrections (2022-608) **(RBT and SR Recusals)**
    - The Custodian lawfully denied access to the responsive Special Investigative Division special report under OPRA and the N.J. Department of Corrections' regulations. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6; N.J.A.C. 10A:22-2.3; Cordero v. N.J. Dep't of Corr., GRC Complaint No. 2012-209 (June 2013).

5. Brian Scott Morton v. NJ Civil Service Commission (2023-138) **(SR Recusal)**
    - Notwithstanding the Custodian's initial reliance on N.J.A.C. 4A:4-2.16, the requested records are exempt from disclosure under Executive Order No. 26 (Gov. McGreevey, 2002) and no unlawful denial occurred.

6. John Paff v. Township of Edison (Middlesex) (2023-168) **(SR Recusal)**
    - The Custodian's response was insufficient. DeAppolonio v. Borough of Deal (Monmouth), GRC Complaint No. 2008-62 (September 2009).
    - The Custodian lawfully denied access to the requested draft meeting minutes under the "inter-agency or intra-agency advisory, consultative, or deliberative material" exemption. N.J.S.A. 47:1A-6; Libertarians for Transparent Gov't v. Gov't Records Council, 453 N.J. Super. 83 (App. Div.)(certif. denied 233 N.J. 484 (2018)).

7. John Paff v. City of Jersey City (Hudson) (2023-252) **(SR Recusal)**
    - The Custodian's failure to timely respond, both within the seven (7) business days and immediately to the portions of the request seeking a settlement agreement and salary information, resulted in a "deemed" denial of access and violation of OPRA. N.J.S.A. 47:1A-5(e); N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i); Kohn v. Twp. of Livingston (Essex), GRC Complaint No. 2011-330 (Interim Order dated February 26, 2013).
    - There is no knowing and willful violation.
    - The Complainant is a prevailing party.

8. Vincent Dixon v. City of Hoboken (Hudson) (2023-296) **(SR Recusal)**
    - No unlawful denial of access occurred to OPRA request item No. 1. O'Dea (O.B.O. N.J. Spotlight) v. N.J. Dep't of Treasury, GRC Complaint No. 2012-109 (April 2013); Pusterhofer, GRC 2005-49.
    - The Complainant's request item No. 2 seeking "complaint documents" for a specific keyword over an eight-year period is invalid. MAG Entm't, LLC v. Div. of ABC, 375 N.J. Super. 534, 546 (App. Div. 2005); Carter v. N.J. Dep't of Cmty. Affairs, Div. of Local Gov't Serv., 2019 N.J. Super. Unpub. LEXIS 2510 (App. Div. 2019).

9. James Butler v. Borough of Caldwell (Essex) (2025-85) **(SR Recusal)**
    - The Custodian's failure to submit an SOI resulted in a violation of N.J.A.C. 5:105-2.4.
    - The Custodian's failure to timely respond to the Complainant's OPRA request resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
    - The Complainant's request item Nos. 4 and 5 seeking communications are invalid because they fail to include a date range. MAG, 375 N.J. Super. at 546; Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-07 (April 2010).
    - The Custodian may have unlawfully denied access to the remaining OPRA request items. Thus, the Custodian shall: 1) locate and disclose responsive records; 2) identify any records exempt from disclosure in part or whole; or 3) certify if no records exist.

10. Maria Diamonte v. Rutgers University (2022-355) **(RBT and RC Recusals)**
    - The requested syllabi are exempt from disclosure under N.J.S.A. 47:1A-1.1. Thus, the Custodian lawfully denied access to the requested records. N.J.S.A. 47:1A-6.
    - There is no knowing and willful violation.

11. Maria Diamonte v. Rutgers University (2022-388) **(RBT and RC Recusals)**
    - The Custodian's failure to timely respond within the extended time frame resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i); Kohn v. Twp. of Livingston Lib. (Essex), GRC Complaint No. 2007-124 (March 2008).

- The Custodian lawfully denied access to the OPRA request because she certified, and the record reflects, that no records exist. Pusterhofer, GRC 2005-49.
- There is no knowing and willful violation.

12. Maria Diamonte v. Rutgers University (2022-398) **(RBT and RC Recusal)**
    - The Custodian performed an insufficient search to locate records responsive to the Complainant's OPRA request. N.J.S.A. 47:1A-6; Schneble v. N.J. Dep't of Envtl. Prot., GRC Complaint No. 2007-220 (April 2008). However, the GRC declines to order disclosure because the Custodian did so on March 13, 2022.
    - There is no knowing and willful violation.

B. Individual Complaint Adjudications with no Recusals:

1. Steve Clegg v. City of Trenton (Mercer) (2025-38)
    - The Custodian's failure to submit an SOI resulted in a violation of N.J.A.C. 5:105-2.4.
    - The Custodian's failure to timely respond to the Complainant's OPRA request 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 may have unlawfully denied access to the Complainant's OPRA request. N.J.S.A. 47:1A-6. Thus, the Custodian shall: 1) locate and disclose responsive records; 2) identify any records exempt from disclosure in part or whole; or 3) certify if no records exist.
    - The knowing and willful analysis is deferred.

2. Steve Clegg v. City of Trenton (Mercer) (2025-57)
    - This complaint should be dismissed as out of time because it was filed after the expiration of the forty-five (45) calendar day statute of limitations. N.J.S.A. 47:1A-6. Further, the Complainant did not provide evidence showing good cause existed to accept the complaint as within time.

3. Steve Clegg v. City of Trenton (Mercer) (2025-82)
    - The Custodian's failure to submit an SOI resulted in a violation of N.J.A.C. 5:105-2.4.
    - The Custodian's extensions were unwarranted and unreasonable; thus, a "deemed" denial of access occurred. N.J.S.A. 47:1A-5(g); Ciccarone v. N.J. Dep't of Treasury, GRC Complaint No. 2013-280 (Interim Order dated July 29, 2014).
    - The Custodian may have unlawfully denied access to the requested records. Thus, the Custodian shall: 1) locate and disclose responsive records; 2) identify any records exempt from disclosure in part or whole; or 3) certify if no records exist.
    - The knowing and willful analysis is deferred.

IX. Court Decisions of GRC Complaints on Appeal:

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

- Int'l Longshoremen's Ass'n v. Port Auth. of N.Y. & N.J., 2025 N.J. Super. Unpub. LEXIS 2522 (App. Div. 2026)
- Wronko v. Monmouth Cnty. SPCA, 2026 N.J. Super. LEXIS 4 (App. Div. 2026)(Approved for Publication)

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

XII. 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.*

XIII. 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.