



## **Minutes of the Government Records Council February 24, 2026 Public Meeting – Open Session**

### **I. Public Session:**

- **Call to Order**

The meeting was called to order at 1:31 p.m. by Mr. John Alexy via Microsoft Teams.

- **Pledge of Allegiance**

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

- **Meeting Notice**

Mr. Alexy read the following Open Public Meetings Act statement:

“This meeting was called pursuant to the provisions of the Open Public Meeting Act. Notices of this meeting were faxed to the Newark Star Ledger, Trenton Times, Courier-Post (Cherry Hill), and the Secretary of State on February 19, 2026.

- **Roll Call**

Ms. Bordzoe called the roll:

Present: John Alexy (Chairman) (designee of Department of Community Affairs Commissioner, Jacquelyn A. Suárez), Robin Berg Tabakin, Esq. (Vice Chair), Ronald Chen, Esq., Public Member and Steven Ritardi, Esq., (Secretary).

GRC Staff in Attendance: Frank F. Caruso (Executive Director), Rosemond Bordzoe (Secretary), John Stewart (Mediator), Samuel Rosado (Staff Attorney), Jennifer Howell (Staff Attorney), Maria Rossi (Staff Attorney), and Deputy Attorney General Craig Keiser.

### **II. Executive Director’s Report:**

#### **Current Statistics**

- Since OPRA’s inception in July 2002, the GRC has received 7,752 Denial of Access Complaints. That averages about 328 annual complaints per a little over 23 ½ tracked program years. So far in the current program year (FY2026), the GRC has received 368

Denial of Access Complaints (noting the GRC received only 270 complaints in all of FY2025).

- 674 of the 7,752 complaints remain open and active (11.5%). Of those open cases:
  - 7 complaints are on appeal with the Appellate Division (1.0%);
  - 28 complaints are currently in mediation (4.2%);
  - 1 complaint is proposed for the Office of Administrative Law (0.1%);
  - 7 complaints await adjudication by the Office of Administrative Law (1.0%);
  - 41 complaints are tentatively scheduled for adjudication at an upcoming GRC meeting, which includes the current meeting (6.1%);
  - 590 complaints are work in progress (87.5%); and
  - 0 complaints are being held in abeyance (0.0%).
  
- Since Program Year 2004, the GRC has received and responded to 42,130 total inquiries, averaging about 1,864 annual inquiries per a little over 22 ½ tracked program years (the GRC did not track inquiries in the agency’s first year). So far in the current program year (FY2026), the GRC has received 1,140 inquiries (7.3 inquiries per workday).

### **GRC Outreaches**

- The GRC’s next training will be for Rutgers University’s Municipal Clerks’ Continuing Education Conference on February 24, 2026 in Atlantic City.

### **III. Closed Session**

### **IV. Approval of Minutes of Previous Meetings:**

#### **January 27, 2026, Open Session Meeting Minutes**

Mr. Alexy called for a motion to approve the draft open session minutes of the February 24, 2026, meeting. Mr. Ritardi made a motion, which was seconded by Mr. Chen. The motion passed by a unanimous vote.

### **V. New Business – Cases Scheduled for Adjudication**

Mr. Alexy stated that 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 reason for the Administrative Disposition is under each complaint below.

**A. Administrative Disposition Adjudications with Recusals (Consent Agenda):**

1. **Abdelhamid Arbab v. NJ Department of Corrections (2023-39) (RBT and SR Recusals)**
  - Cannot be adjudicated due to lack of quorum.

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

1. **Brian Hampel v. Saddle River Board of Education (Bergen) (2024-3)**
  - No Denial of Access at Issue
2. **Alfred Tard-El v. Borough of Hopewell (Mercer) (2025-382)**
  - No Records Responsive to the Request Exist.
3. **Alfred Tard-El v. Borough of Hightstown (Mercer) (2025-384)**
  - No Records Responsive to the Request Exist.
4. **Alfred Tard-El v. Township of Lawrence (Mercer) (2025-386)**
  - No Records Responsive to the Request Exist.
5. **Alfred Tard-El v. Township of Hopewell (Mercer) (2025-387)**
  - No Records Responsive to the Request Exist.
6. **Alfred Tard-El v. Township of Pennington (Mercer) (2025-389)**
  - No Records Responsive to the Request Exist.
7. **Alfred Tard-El v. Municipality of Princeton (Mercer) (2025-390)**
  - No Records Responsive to the Request Exist.
8. **Alfred Tard-El v. Borough of Hopewell (Mercer) (2025-391)**
  - Duplicate Complaint Filed With the GRC.
9. **Alexander William Fay v. Freehold Township Police Department (Monmouth) (2025-406)**
  - Complaint Dismissed Without Prejudice.
10. **Pamela R. Sickinger v. Rockaway Township (Morris) (2025-409)**
  - Motion To File Within Time Denied.
11. **Alfred Tard-El v. Borough of Hopewell (Mercer) (2025-430)**
  - No Records Responsive to the Request Exist.
12. **Sean Redzio v. Garfield Board of Education (Bergen) (2026-5)**
  - Complaint Dismissed Without Prejudice.
13. **John Paff v. Perth Amboy Public Schools (Middlesex) (2026-6)**
  - Motion to File Within Time Denied.
14. **Mark-Brian Kline v. Township of Hazlet (Monmouth) (2026-9)**
  - All Records Responsive Provided in a Timely Manner.
15. **Alfred Tard-El v. NJ Office of Attorney Ethics (2026-32)**
  - Not Within the Council's Jurisdiction.

Mr. Alexy called for any discussion on the Administrative Dispositions as written. Hearing none, Mr. Alexy called for a motion to accept the recommendations as written in all the above Administrative Dispositions. Mr. Ritardi made a motion, which was seconded by Ms. Berg Tabakin. The motion passed by a unanimous vote.

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

1. **Avinash Melkote v. Township of Howell (Monmouth) (2025-254)**
  - Complaint Settled in Mediation.
2. **Lydia M. Couch v. Elizabeth Board of Education (Union) (2025-312)**
  - Complaint Voluntarily Withdrawn.
3. **Dr. Raul Virella v. NJ Department of Labor & Workforce Development (2025-325)**
  - Complaint Settled in Mediation.
4. **Omar Saleh Al-Zaman v. NJ Institute of Technology (2025-343)**
  - Complaint Settled in Mediation.
5. **Brian Camelio v. Jersey City Department of Housing, Economic Development, & Commerce (Hudson) (2025-395)**
  - Complaint Voluntarily Withdrawn.
6. **Miky Ynirio v. NJ Department of Corrections (2026-10)**
  - Complaint Voluntarily Withdrawn.

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

Mr. Alexy stated that 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): None**

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

**VII. New Business – Cases Scheduled for Individual Complaint Adjudication**

A brief summary of the Executive Director’s recommended action is under each complaint:

**A. Individual Complaint Adjudications with Recusals: None**

**B. Individual Complaint Adjudications with no Recusals:**

1. **Michael F. Farmer (o/b/o Surenda Vallabhaneni) v. Monroe Township Board of Education (Middlesex) (2023-15)**
  - The Custodian’s proposed special service charge of \$530.22 for 16.2 hours at an hourly rate of \$32.73 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); Rivera v. Rutgers, The State Univ. of N.J., GRC Complaint No. 2009-311 (Interim Order dated May 29, 2012). 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).

- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

2. **David J. Parreott, Jr. v. Township of Brick Police Department (Ocean) (2023-35)**

- No "deemed" denial of access occurred.
- This complaint should be dismissed because the Complainant failed to state a claim. Loigman v. Monmouth Cnty. Prosecutor's Office, GRC Complaint No. 2013-342 (July 2014).
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations. Mr. Caruso stated that an artifact sentence was removed from the Timeliness conclusion paragraph on pages 3 and 5. Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as amended. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

3. **Tyree Deshawn Mims v. Gloucester City Police Department (Camden) (2023-188)**

- No unlawful denial of access occurred because the Custodian did not receive the Complainant's OPRA request. Ping v. Borough of Brielle (Monmouth), GRC Complaint No. 2009-132 (April 2010).
- The Custodian did not unlawfully deny access to the subject OPRA request because she disclosed all records that existed. N.J.S.A. 47:1A-6; Danis v. Garfield Bd. of Educ. (Bergen), GRC Complaint No. 2009-156, *et seq.* (Interim Order dated April 28, 2010).
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

4. **Charles Graber v. Lakewood Police Department (Ocean) (2023-214)**

- The Custodian lawfully denied access to the requested records under N.J.S.A. 47:1A-9(a), N.J.S.A. 2C:25-33, and VanBree v. Bridgewater Twp. Police Dep't (Somerset), GRC Complaint No. 2014-122 (October 2014).
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

5. **Ligia Alberto v. Bergenfield Public School District (Bergen) (2023-304)**

- The Custodian's failure to timely respond to the Complainant's OPRA request seeking immediate access records resulted in a "deemed" denial of access. N.J.S.A. 47:1A-5(e); N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i). However, the Council should decline to order disclosure because same occurred on December 15, 2023.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

6. **Lauren A. Martin v. Delran Township Board of Education (Burlington) (2024-11)**

- The original Custodian's written response to the OPRA request was insufficient because he failed to provide a date certain on which he would respond to the subject OPRA request. N.J.S.A. 47:1A-5(i); Hardwick v. N.J. Dep't of Transp., GRC Complaint No. 2007-164 (February 2008).
- The Complainant's request item Nos. 1 and 2 were invalid because they did not contain the required correspondence criteria. MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005); Elcavage v. West Milford Twp., GRC Complaint No. 2009-07 (April 2010); Thus, the Custodian lawfully denied access to these request items. N.J.S.A. 47:1A-6.
- The Custodian violated N.J.S.A. 47:1A-5(c) by failing to provide the Complainant the opportunity to accept or reject the proposed special service charge. Owoh, Esq. (O.B.O. Delores Simmons, Baffi Simmons, & Grace Woko) v. Magnolia Police Dep't (Camden), GRC Complaint No. 2021-115 (January 2023). Further, the proposed special service charge was not supported by the evidence of record. Courier Post, 360 N.J. Super. 191; Palkowitz v. Borough of Hasbrouck Heights (Bergen), GRC Complaint No. 2014-302 (Interim Order dated May 26, 2015). Thus, the Custodian shall recalculate the charge and disclose the records upon payment thereof.
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

7. **Richard Rivera v. City of Trenton (Mercer) (2025-26)**

- This complaint should be dismissed because the Complainant withdrew it on January 12, 2026 in an e-mail to the Office of Administrative Law ("OAL").
- Mr. Alexy called for any discussion on the Executive Director's findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director's findings and recommendations as written. Mr.

Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

8. **Daniel Opdyke v. City of Trenton Department of Health & Human Services (Mercer) (2025-76)**

- This complaint should be dismissed because the Complainant withdrew it on January 15, 2026 in an e-mail to the OAL.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

9. **Alfred Tard-El v. City of Trenton (Mercer) (2025-377)**

- The Custodian’s failure to submit a Statement of Information 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 either locate and disclose to the Complainant responsive records, provide a specific lawful basis for denial, or certify if no records exist.
- The knowing and willful and prevailing party analyses are deferred.
- Mr. Alexy called for any discussion on the Executive Director’s findings and recommendations as written. Hearing none, Mr. Alexy called for a motion to accept the Executive Director’s findings and recommendations as written. Mr. Ritardi made a motion, and Ms. Berg Tabakin seconded the motion. The motion passed by a unanimous vote.

**VIII. Court Decisions of GRC Complaints on Appeal: None**

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

**X. Complaints Adjudicated in U.S. District Court: None**

**XI. Public Comment: None**

**XII. Adjournment:**

Mr. Alexy called for a motion to end the Council meeting. Mr. Chen made a motion, which was seconded by Mr. Ritardi. The motion passed by a unanimous vote. The meeting adjourned at 1:55 p.m.

Respectfully submitted,

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John Alexy, Chair

Date Approved: March 31, 2026