



**Minutes of the Government Records Council
January 31, 2019 – Closed Session**

The Council convened in closed session at 1:40 p.m. in Conference Room 129 of the Department of Community Affairs, Trenton, New Jersey. In attendance were: Robin Berg Tabakin, Esq. (Chairwoman), Christopher Huber, Esq. (designee of Department of Education Commissioner, Dr. Lamont Repollet), Kimberly Holmes (designee of Department of Community Affairs Commissioner, Lt. Governor Sheila Y. Oliver)

*****Ms. Robin Berg Tabakin participated telephonically*****

Absent: and Steven Ritardi, Esq. (Public Member)

Also, in attendance were GRC Staff: Frank F. Caruso (Communications Specialist/Resource Manager), Rosemond Bordzoe (Secretary), John Stewart (Mediator), and Deputy Attorney General Debra Allen.

Mr. Huber called for a motion to go into closed session. Ms. Berg Tabakin made a motion, which was seconded by Ms. Holmes. The Council adopted the motion by a unanimous vote.

The Council met in closed session pursuant to N.J.S.A. 10:4-12(b)(1) to conduct an *in camera* review in the following matters:

- Jeffrey W. Sauter v. Township of Colts Neck (Monmouth) (2016-190)
- Edwin Sheppard v. Cape May County (2016-195) (**FFC Recusal**)

Mr. Caruso introduced GRC Complaint No. 2016-190 to the Council. The Council reviewed the records at issue here *in camera* and agreed with the conclusions as written.

Mr. Stewart introduced GRC Complaint No. 2017-195 to the Council, for which Mr. Caruso was not present based on a recusal. The Council sought legal advice from DAG Allen on N.J.A.C. 5:105-2.4(j) regarding objections to representation. DAG Allen provided limited legal advice and agreed to obtain more information on the issue and report back to the Council. The Council also sought legal advice on “public agency” policies as it relates to sharing OPRA requests internally without redactions. DAG Allen advised that she would conduct research and report back to the Council with advice on what procedure were appropriate.

Mr. Huber called for a motion to end the closed session. Ms. Berg Tabakin made a motion, which was seconded by Ms. Holmes. The Council adopted the motion by a unanimous vote. The closed session meeting concluded at 2:10 p.m.

Respectfully Submitted:

Robin Berg Tabakin, Esq., Chair

Date Approved: February 26, 2019