

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

July 23, 2019

**Brookdale Community College
Warner Student Life Center
765 Newman Springs Rd.
Lincroft, NJ 07738**

- A. Chair Abby-White called the meeting to order at 5:30 P.M. and the group made the Pledge of Allegiance.
- B. Ms. Gruskos read the following statement: “In compliance with the Open Public Meetings Act, N.J.S. 10:4-6 et seq., advance written notice of this meeting of the Board of Trustees was provided in the following manner:

On July 17, 2019 at 2 PM advance written notice of this meeting was posted at Brookdale Community College on the first floor of the Brookdale Administrative Center; emailed to *The Asbury Park Press* and *the Star Ledger* and filed with the Clerk of the County of Monmouth.

Please take note, the meeting location was changed due to the campus closure. Signs were placed at the original location, the Brookdale website was updated, a college broadcast email was sent to all employees, and an announcement was made by Brookdale Public Radio providing the new location.

Roll Call:

Present	Trustees	Administration:
	Ms. Abby-White, Chair	Dr. Matthew Reed*
	Mr. Dan Becht, Trustee	Dr. Yesenia Madas Dr. Nancy Kegelman*
	Ms. Latonya Brennan*	Ms. Joan Scocco
	Ms. Suzanne Brennan, Vice-Chair*	Ms. Patricia Sensi*
	Dr. Hank Cram, Trustee	Mr. Ed Johnson
	Ms. Lauren Deinhardt, Trustee	Ms. Kathy Kamatani
	Ms. Madeline Ferraro, Trustee* (5:40 PM)	
	Ms. Barbara Horl, Trustee* (5:40 PM)	
	Mr. Bret Kaufmann, Trustee	
	Dr. David M. Stout, Secretary	
	Ms. Marta Rambaud, Trustee*(5:40 PM)	
	Dr. Les Richens, Trustee (excused at 6:05 PM)	
Absent	Mr. Paul Crupi, Trustee	Ms. Cynthia Gruskos, Recorder

College Counsel	Mr. Mitchell Jacobs, Esq., General and Labor Counsel	Mr. Michael Regan, T & M Associates, Engineer of Record
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Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Adoption of agenda for Public Business Meeting</p>	<p>A motion to adopt the meeting agenda was made by Trustee Richens and seconded by Trustee Becht.</p> <p>Motion passed unanimously.</p>	
<p>Swearing in of Trustee Lauren Deinhardt</p> <p>Former Graduate Trustee Victoria Cattelona performed the swearing in ceremony of new Graduate Trustee Lauren Deinhardt. Victoria began a new tradition, and gave Lauren a notebook with advice and instructions for her to pass down to the next Graduate Trustee.</p>		
<p>President’s Report</p> <p>Dr. Stout thanked Wall Township for making the accommodations to allow us to use their meeting room tonight to hold our Board meeting. The presentations scheduled for this evening were postponed due to the issues related to the storm. He thanked Victoria for her time and the newly created tradition she began and welcomed Lauren as the new Graduate Trustee.</p>		
<p>Review and Adoption of Consent Agenda</p> <ul style="list-style-type: none"> • <i>Any item may be removed from the consent agenda for discussion by any voting member of the Board of Trustees.</i> <p>A. Adoption of Consent agenda</p>	<p>A motion to adopt the consent agenda was made by Trustee Richens and seconded by Trustee Becht.</p> <p>Motion passed unanimously.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Reports from Board Committees and Liaisons</p> <p>A. Finance & Facilities Committee –</p> <ol style="list-style-type: none"> 1. Monthly Financial Reporting – Trustee Kaufmann reported on the meeting held on July 16, as a Special Board of Trustees meeting to approve Chapter 12 projects which were time sensitive. He reported that based on the financial reporting ending on May 31, 2019, revenue and expenses are as projected. They spent a majority of the meeting discussing the 28 ongoing Chapter 12 projects and he was pleased with the significant progress on these projects. 2. Update on Capital Projects – Mr. Savacool, T & M Associates –provided updates on his report dated July 10, 2019. <p>B. BCC Foundation – Dr. Stout provided an update on behalf of the Foundation. He provided information on the upcoming mini-retreat, the monitoring of investments by the Foundation Finance Committee, alumni association fundraising efforts and the upcoming Golf Outing. (Full Report – Attachment A)</p> <p>C. Private Public Partnership Committee –Chair Abby-White announced that there is a need for a committee Chair since Trustee Cattelona’s term has expired. She shared that one of the Committee’s goals is to create 2 educational partnerships and provided information on the most recent partnership development with Ray Catena Auto Group.</p>		
<p>Public Comment on Agenda Items –</p> <p>Jack Ryan – Faculty - commented on our fiscal stability. In addition, he urged the Board to encourage transparency through technology, specifically having the recording of the meetings on the website and the board materials accessible 24 hours prior to the Board meetings.</p>		
<p>Approval of Public Business Meeting Minutes – June 25, 2019</p>	<p>A motion to approve the minutes from the public business meeting held on June 25, 2019 was made by Trustee Richens and seconded by Trustee Kaufmann. Motion passed.</p> <p>ABSTENTIONS: Trustees Becht and Deinhardt</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Executive Session Minutes – June 25, 2019	<p>A motion to approve the executive session minutes from the meeting held on June 25, 2019 was made by Trustee Richens and seconded by Trustee Cram.</p> <p>Motion passed.</p> <p>ABSTENTIONS: Trustees Becht and Deinhardt</p>	
Approval of Special Public Business Meeting Minutes – July 16, 2019, Finance & Facilities	<p>A motion to approve the minutes for the Special Public Meeting held on July 16, 2019 was made by Trustee Richens and seconded by Trustee Kaufmann.</p> <p>Motion passed.</p> <p>ABSTENTIONS: Trustee Becht</p>	
<p>Consent Agenda</p> <p>A. Human Resources Recommendations-</p> <p>B. Purchases in Excess of \$36,400 and New Jersey “Pay-to-Play” bids, and Pursuant to the New Jersey “Pay to Play” Process, in Excess of \$17,500 -</p> <p>C. Open Invoice Payment Requests for Vendor, Student and Employee Payments -</p> <p>D. Monthly Financial Reports-</p>	<p>A motion to approve the consent agenda was made by Trustee Becht and seconded by Trustee Richens.</p> <p>Motion passed unanimously.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Ferraro, Deinhardt, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White</p> <p>NO: None</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	ABSTENTIONS: None	
Approval of Revised By-Laws	<p>A motion to approve the revised By-Laws was made by Trustee Becht and seconded by Trustee Kaufmann.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Ferraro, Deinhardt, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
Approval of Revised Board of Trustees Calendar	<p>A motion to cancel the August 25 Public Business Meeting was made by Trustee Becht and seconded by Trustee Cram.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Ferraro, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Public Comment</p> <p>Mr. Jacobs read the public comment statement.</p> <p>David Vadon - Middletown - shared his disappointment that his daughter Meghan who has intellectual disabilities was not accepted into the Keep Achieving (Kach) at Brookdale program due to the limit of 6 students each year. He urged the Board to expand this program to allow more students to participate in this program.</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Dr. Stout responded that he has been exploring opportunities with the Executive Director of ARC to come up with ideas on how to expand the program to allow more students to participate.</p>		
<p>Old/New Business</p> <p>Chair Abby-White announced the start time of the August 20 Executive Committee meeting will be changed from 5:15 PM to 6:45 PM.</p>		
<p>Resolution to Hold a Closed Meeting</p> <p><i>Attachment B</i></p>	<p>A motion was made to approve by resolution to hold an executive session by Trustee Richens and seconded by Trustee Kaufmann.</p> <p>Motion passed unanimously.</p>	
<p>Motion to Re-Open the Meeting to the Public</p>	<p>A motion was made to reopen the meeting to the public by Trustee Becht and seconded by Trustee Kaufmann.</p> <p>Motion passed unanimously.</p>	
<p>Adjournment</p> <p>Meeting adjourned at 6:45 PM</p>	<p>A motion to adjourn the meeting was made by Trustee Kaufmann and seconded by Trustee Becht.</p> <p>Motion passed unanimously.</p>	

Attachment A – Minutes of Public Business Meeting – July 23, 2019
Brookdale Foundation and Brookdale Alumni Association Update July 2019

The Foundation will use the \$2,500 grant it received from the Jay and Linda Grunin Foundation to engage the services of Vicki Bixel, President of Semple-Bixel for a mini-retreat to work with the Board on enhancing its fundraising footprint. The date originally set for August 1 may be postponed until October since many Trustees are unavailable due to work and vacation schedules.

The Foundation Finance Committee met with representatives from Ocean First Bank and Wells Fargo to review year-to-date performances for the invested accounts. Ocean First through Addison Capital manages more than \$3.2 million split between the Library Endowment fund and the Scholarship Fund. Wells Fargo manages nearly \$2.8 million split between the POSEIDON Early College High School fund and the Scholarship fund. The investment objective for all accounts is moderate growth and income. The accounts are actively monitored and managed to insure that funding for projects and scholarships comes from proceeds/cash flow and not from principal.

The Brookdale Alumni Association worked with the Performing Arts Center (PAC) to coordinate acceptance of donation during the Shakespeare on the lawn performances in July. They collected a total of \$667 in cash, checks and through PayPal. The Alumni Association and the Foundation also funded commemorative t-shirts for the cast and crew comprised of current students and alumni in appreciation for their efforts.

A reminder that the 40th Annual Education Open Golf Outing is on September 26. The Foundation is looking for support in the form of sponsorships, golfers, auction donations and participation in the “Helicopter Ball Drop 50/50 raffle.” Invitation letters and brochures were mailed the end of June. The Foundation welcomes the support of the College Trustees.

The Foundation and the Alumni Association continue to work with Synde Kaufman to have the Helping Hands lounge up and running for the fall semester. Renovation work and installation of new furniture are next steps.

A call for nominations for Distinguished Alumni and Honorary Degree recipients will be posted in October in local media and on all social media platforms.

BROOKDALE COMMUNITY COLLEGE BOARD OF TRUSTEES

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, while the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) requires all meetings of the Brookdale Community College Board of Trustees to be held in public, N.J.S.A. 10:4-12(b) sets forth nine (9) types of matters that may lawfully be discussed in "Executive Session," i.e. without the public being permitted to attend, and

WHEREAS, the Brookdale Community College Board of Trustees has determined that 4 issues are permitted by N.J.S.A. 10:4-12(b) to be discussed without the public in attendance and shall be discussed during an Executive Session to be held on **July 23, 2019 at approximately 6:00 PM** the nine (9) exceptions to open public meetings set forth in N.J.S.A. 10:4-12(b) are listed below, and next to each exception is a box which will be marked when the issues to be privately discussed fall within that exception, and after each exception is a space where additional information that will disclose as much information about the discussion as possible without undermining the purpose of the exception shall be written.

"(1) Any matter which, by express provision of Federal law, State statute or rule of court shall be rendered confidential or excluded from public discussion." The legal citation to the provision(s) at issue is: _____ and the nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

"(2) Any matter in which the release of information would impair a right to receive funds from the federal government." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

"(3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is _____

RESOLUTION
Approved: July 23, 2019

"x y (4) Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body.(labor negotiations)

"(5) Any matter involving the purchase lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed." The nature of the matter, described as specifically as possible without undermining the need for confidentiality

"(6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is: _

"x (7) Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer." The parties to and docket numbers of each item of litigation and/or the parties to each contract discussed are and the nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:, contract negotiations with Montessori Children's Learning Center; potential litigation regarding construction issues at the Wall Campus, and contract negotiations with Rutgers.

"(8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting." Subject to the balancing of the public's interest and the employee's privacy rights under South Jersey Publishing Co. v. New Jersey Expressway Authority, 124 N.J. 478 (1991), the employee(s) and nature of the discussion, described as specifically as possible without undermining the need for confidentiality is:

"(9) Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility." The nature of the matter, described as specifically as possible without undermining the need for confidentiality is a

WHEREAS, the length of the Executive Session is estimated to be 45 minutes after which the public (select one) meeting of the Brookdale Community College Board of Trustees shall reconvene and immediately adjourn or reconvene and proceed with business where formal action may be taken.

NOW, THEREFORE, BE IT RESOLVED that the Brookdale Community College Board of Trustees will go into Executive Session for only the above stated reasons; and

BE IT FURTHER RESOLVED that the Brookdale Community College Board of Trustees hereby declares that its discussion of the aforementioned subject(s) will be made public at a time when the public's interest in disclosure is greater than any privacy or governmental interest being protected from disclosure.

BE IT FURTHER RESOLVED that the Board Secretary, at the present public meeting, shall read aloud enough of this resolution so that members of the public in attendance can understand, as precisely as possible, the nature of the matters that will privately discussed; and

BE IT FURTHER RESOLVED that the Board Secretary, on the next business day following this meeting, shall post this Resolution on the Board website and furnish a copy of this Resolution to any member of the public who requests one at the fees allowed by N.J.S.A. 47:1A-1 et seq.