

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

October 29, 2019

**Brookdale Community College
Brookdale at Freehold
3680 US Highway 9 South
Freehold, NJ 07728**

- A. Chair Abby-White called the meeting to order at 5:30 P.M. and the group made the Pledge of Allegiance. Chair Abby-White read the mission of the college.

- 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 October 23 2019 at 1:20 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.

Roll Call:

Present	Trustees	Administration:
	Ms. Abby-White, Chair	Dr. Matt Reed, VP Learning
	Mr. Dan Becht, Trustee (5:35 PM)	Ms. Teresa Manfreda, Executive Director Finance & ITS
	Ms. Latonya Brennan (5:35 PM)	Dr. Nancy Kegelman, AVP PIE
	Ms. Suzanne Brennan, Vice-Chair (5:35 PM)	Dr. Yesenia Madas, AVP Student Affairs
	Dr. Hank Cram, Trustee	Ms. Pat Sensi, AVP Human Resources & Organizational Safety
	Mr. Paul Crupi, Trustee	Dr. Joan Scocco, Dean CPS
	Ms. Lauren Deinhardt, Trustee	Dr. Anita Voogt, AVP Strategic Partnerships
	Ms. Madeline Ferraro, Trustee* Excused at 6:30 PM	Dr. William Burns, AVP Educational Access & Innovation
	Ms. Barbara Horl, Trustee	Ms. Kathy Kamatani, Interim Executive Director College Relations
	Mr. Bret Kaufmann, Trustee (5:55 PM)	Mr. Ed Johnson, Governmental & Community Relations
	Dr. David M. Stout, Secretary	Ms. Bonnie Passarella, Executive Associate, Legal
	Ms. Marta Rambaud, Trustee	Ms. Cynthia Gruskos, Senior Assistant to the President & the BOT, Recorder

	Dr. Les Richens, Trustee	
Absent	Mr. Paul Crupi, Trustee	
College Counsel	Mr. Mitchell Jacobs, Esq., General Counsel	
	*Participated via Teleconference	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Adoption of agenda for Public Business Meeting	A motion to adopt the meeting agenda was made by Trustee Richens and seconded by Trustee Horl. Motion passed unanimously.	
President's Report		
<p>Employee Volunteer Connection – Dr. Stout provided information on the 27th Annual Giving Tree which begins on November 13 and will run through November 29. This non-denominational effort supports people regardless of religious affiliation.</p> <p>Collage – Dean Natter introduced and thanked the Collage Advisors, Assistant Professor Jennifer Kaminski and Instructor Elisa Elorza for their guidance of <i>Collage</i>, Brookdale Community College's Student Magazine of the Arts, an extracurricular club for all students. <i>Collage</i> members shared their mission, goals for the year, and theme. They announced their 49th edition was awarded gold medalist status from Columbia's Scholastic Press Association operated out of Columbia University. In addition they announced they will be celebrating their 50th Anniversary edition this spring and will have a weeklong celebration beginning on April 30 in the CVA Gallery.</p>		
<p>Review of Consent Agenda</p> <ul style="list-style-type: none"> Any item may be removed from the consent agenda for discussion by any voting member of the Board of Trustees. <p>A. Adoption of Consent agenda</p> <p>No items were removed from the consent agenda. Chair Abby-White</p>	<p>A motion to adopt the consent agenda was made by Trustee Richens and seconded by Trustee Horl.</p> <p>Motion passed unanimously.</p>	

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announced there was a change in the HR materials; Birgit Mondesir's start date was changed to 11/16/19.		
<p>Reports from the 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 Finance & Facilities meeting held on October 29. He highlighted that based on the financial reporting dated August 31, 2019, that the college is on budget. 2. Update on Capital Projects – Trustee Kaufmann provided information on the progress of our Chapter 12 capital projects. <p>B. ACCT Leadership Congress – Chair Abby-White, Trustee Horl and Trustee Deinhardt shared key takeaways from the ACCT Leadership Congress they attended in October. Each attended different breakout sessions and shared noteworthy information. Chair Abby-White, Dr. Stout and Jennifer Latino, delivered a session entitled Building an empowering governance network through technology. Trustee Horl focused on Trustee advocacy and Trustee Deinhardt provided information on using simulations to enhance real world interdisciplinary learning (board brief contained in the October packet)</p> <p>C. Student's Perspective – Trustee Deinhardt shared the student's perspective on the recent shelter in place incident, the cost of textbooks, improving communications of student events, safety concerns on campus and student appreciation for Dr. Stout's leadership.</p> <p>D. BCC Foundation – Dr. Stout provided an update on the Foundation's fundraising activities, including the Student Success Scholarship Campaign.</p> <p>E. Public Private Partnership Committee – Chair Abby-White reported on the October committee meeting. She provided information on newly developed partnerships this year and their relationship to strategic priorities.</p> <p>F. Audit Committee – Trustee Rambaud reported that the Enrollment audit has been concluded with no findings and recommended approval of the audit.</p>		
<p>Public Comment on Agenda Items –</p> <p>No public comment.</p>		
<p>Approval of Public Business Meeting Minutes:</p> <p>Approval of Public Business Meeting Minutes – September 24, 2019</p>	<p>A motion to approve the minutes from the public business meeting held on</p>	

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<p>Approval of Executive Session Minutes – September 24, 2019</p>	<p>September 24, 2019 was made by Trustee Horl and seconded by Trustee Latonya Brennan</p> <p>Motion passed unanimously.</p> <p>ABSTENTIONS: None</p> <p>A motion to approve the executive session minutes from the meeting held on September 24, 2019 was made by Trustee Horl and seconded by Trustee Deinhardt.</p> <p>Motion passed unanimously.</p> <p>ABSTENTIONS: None</p>	
<p>Consent Agenda</p> <ul style="list-style-type: none"> A. Human Resources Recommendations- B. Application of Grants C. Acceptance of Grants D. 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 - E. Open Invoice Payment Requests for Vendors F. Monthly Financial Dashboards 	<p>A motion to approve the consent agenda was made by Trustee Richens and seconded by Trustee Latonya Brennan.</p> <p>Motion passed unanimously.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Deinhardt, Ferraro, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Approval of FY19 Enrollment Audit -</p>	<p>A motion to approve the FY19 Enrollment Audit was made by Trustee Richens and seconded by Trustee S. Brennan</p> <p>Motion passed unanimously.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Deinhardt, Ferraro, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Acceptance of Report of Legal Fees, Government Relations and Public Relations-</p>	<p>A motion was made to accept the report of legal fees, government relations and public relations by Trustee Becht and seconded by Trustee Rambaud.</p> <p>Motion passed unanimously.</p>	
<p>Approval of Revised Policies –</p> <ul style="list-style-type: none"> A. 2.9000 Acceptable Use of Computer Network, Resources & Facilities B. 4.1005 Grants & Special Contracts C. 4.1006 Standards for Auditing & Accounting 	<p>A motion to approve the following revised policies: 2.9000 Acceptable Use of Computer Network, Resources & Facilities; 4.1005 Grants & Special Contracts; 4.1006 Standards for Auditing & Accounting; 5.0018 Student Produced College</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>D. 5.0018 Student Produced College Media</p> <p>E. 6.4000 Student Activities</p>	<p>Media, and 6.4000 Student Activities was made by Trustee Richens and seconded by Trustee Deinhardt.</p> <p>Motion passed unanimously.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Deinhardt, Ferraro, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Approval of MSCHE Substantive Change –</p>	<p>A motion to approve by resolution the submission of a substantive change request to Middle States Commission on Higher Education to reclassify the Freehold and Wall campuses to additional locations was made by Trustee Horl and seconded by Trustee L. Brennan.</p> <p>Motion passed unanimously.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Deinhardt, Ferraro, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White</p>	

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	NO: None ABSTENTIONS: None	
Public Comment Tom Brennan, Radio Station Manager – Mr. Brennan provided an update on their fundraising activities and accomplishments of the Radio Station. He announced that they are working with the students in the recently renamed Radio and Podcast Club.		
Old/New Business Chair Abby-White provided information on a fundraising event to support Fulfill, where our Brookdale students will be competing in a “Chopped” style cooking competition. Dr. Stout announced that this Friday, the woman’s soccer team will be competing in the Region XIX tournament at Ocean County College.		
Resolution to Hold a Closed Meeting College Counsel read the Resolution to hold a closed meeting. (Attachment A)	A motion was made to hold a closed session by Trustee Richens and seconded by Trustee Rambaud. Motion passed unanimously.	
Motion to Re-Open the Meeting to the Public	A motion was made to reopen the meeting to the public by Trustee Richens and seconded by Trustee Rambaud. Motion passed unanimously.	
Ratification of Settlement and Release Agreement (Resolution was added as an addendum)	A motion was made to ratify by resolution the terms of the settlement and release agreement titled Young et al. vs Brookdale Community College et al. by Trustee Richens and seconded by Trustee Becht.	

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	<p>Motion passed unanimously.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Deinhardt, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Adjournment</p> <p>Meeting adjourned at 8 PM.</p>	<p>A motion to adjourn the meeting was made by Trustee Richens and seconded by Trustee Becht.</p> <p>Motion passed unanimously.</p>	

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 **October 29, 2019 at approximately 6:30 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 _____

"(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: _

"(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: **potential litigation regarding construction issues at the Wall Campus and discussion of a litigation settlement and release agreement.**

"(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: **conduct interviews for applicants for the Chair of the Board of Trustees**

"(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 60 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.