

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

November 19, 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
- 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 November 13, 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.

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, Trustee	Dr. Joan Scocco
	Ms. Suzanne Brennan, Trustee (5:35 PM)	Ms. Patricia Sensi
	Dr. Hank Cram, Vice-Chair	Mr. Ed Johnson
	Ms. Lauren Deinhardt, Trustee	Ms. Kathy Kamatani
	Ms. Madeline Ferraro, Trustee*	Ms. Teresa Manfreda
	Ms. Barbara Horl, Trustee	Dr. William Burns
	Mr. Bret Kaufmann, Trustee	Ms. Bonnie Passerella
	Dr. David M. Stout, Secretary	
	Ms. Marta Rambaud, Trustee (5:35 PM)	
	Dr. Les Richens, Trustee	
Absent	Ms. Paul Crupi, Trustee	Ms. Cynthia Gruskos, Recorder
College Counsel	Mr. Sean Kean, Esq., General Counsel	
	* participation by teleconference	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Chair Abby-White read the Mission statement and led the college in the pledge of allegiance and a moment of silence for the student who passed away on November 4, 2019.		
<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 Latonya Brennan.</p> <p>Motion passed unanimously.</p>	
<p>Board of Trustees Reorganization</p> <p>A. Election of Officers of the Board of Trustees – Mr. Kean opened nominations for the Office of the Chair. Trustee Horl nominated Trustee Abby-White. Hearing no further nominations, Mr. Kean closed the nominations for Chair.</p> <p>Election of Vice-Chair – Chair Abby-White opened the nominations for the Office of Vice-Chair. Trustee Richens nominated Trustee Cram. Hearing no further nominations, Chair Abby-White closed the nominations for Vice Chair.</p> <p>Chair Abby-White thanked Trustee Suzanne Brennan for her service as Vice-Chair.</p>	<p>Mr. Kean called for a roll call vote on the nomination of Trustee Abby-White as Board Chair for 2019-2020.</p> <p>YES: Trustees Becht, L. Brennan, Cram, Ferraro, Deinhardt, Horl, Kaufmann, Rambaud, Richens and Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p> <p>Chair Abby-White called for a roll call vote on the nomination of Trustee Cram as Vice-Chair for 2019-2020.</p> <p>YES: 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>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>B. Establishment of a Regular Meeting Schedule of the Board of Trustees</p> <p>Chair Abby-White commented that the Board will be holding 3 focused Workshops during the year, with focused topics to include enrollment and the Aspen framework. The retreat dates will remain on the calendar, and a decision will be made by early February if the Board will hold the retreat.</p> <p>C. Standing Committees – Chair Abby-White announced that the Standing Committees will stay the same as last year, as no Trustee expressed an interest in changing committees.</p> <p>D. Designation of Public Notice Requirements.</p> <p>E. Annual Report of the College – Mr. Hudick provided a preview of the Annual Report. He reviewed the format and the content.</p>	<p>A motion was made to adopt the presented calendar for 2020 by Vice-Chair Cram and seconded by Trustee Horl.</p> <p>Motion passed unanimously.</p> <p>A motion was made to approve the resolution of designation of public notice requirements by Trustee Richens seconded by Trustee Horl.</p> <p>Motion passed unanimously.</p>	

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Recognition of Inaugural class of Emeritus Employees –																																														
Dr. Stout honored the inaugural class of Emeritus Employees with a reading of a proclamation. A plaque with their names inscribed was revealed and it will be housed in the Bankier Library.																																														
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Dr. Stout thanked the Emeritus Employee Selection Committee.																																														
*Posthumous Emeritus Employees																																														
<p>Approval of Memorandum of Understanding with Georgian Court University 3 + 1 Program</p> <p>Dr. Stout acknowledged our longstanding and successful partnership with Georgian Court University. He described the partnership which will allow Brookdale students to reduce the cost of their education by allowing them to complete their Associates degree and an additional year of coursework at Brookdale prior to</p>	<p>A motion to approve by resolution the Memorandum of Understanding with Georgian Court University to offer a 3 + 1 agreement was made by Trustee Cram and seconded by Trustee S. Brennan.</p> <p>Motion passed unanimously.</p>																																													

Topic and Discussion	Votes Taken	Action and Follow-up Actions
them completing their last year of their Bachelor's degree at Georgian Court University. Students will pay Brookdale tuition through their Junior year.		
<p>A. Signing Ceremony with Georgian Court University 3 + 1 Program –After the agreement was signed, Dr. Marbach, President of Georgian Court University noted this historic moment. He highlighted our shared commitment of providing affordability and accessibility to our students. He stated that he is looking forward to welcoming Brookdale students as future Lions</p>		
<p>President's Report – Dr. Stout thanked the campus community for working hard to keep our community moving forward after a traumatic event on campus.</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 Horl.</p> <p>Motion passed unanimously.</p>	
<p>Reports from the Board Committees and Liaisons –</p>		
<p>1) Finance & Facilities Committee – Trustee Kaufmann reported on the Finance & Facilities meeting held on November 12. He highlighted the following:</p> <ol style="list-style-type: none"> 1. Based on the college's financial reporting, FY19's revenue and expenses are as projected. 2. The pending FY21 budget will bring significant financial challenges, as enrollment continues to decline and operational expenses continue to increase. For this reason, focus on student retention and student success is extremely important. He stressed the importance of small improvements in student retention and student success will have a big impact on how we address these financial challenges. 3. Trustee Kaufmann provided an update on our current capital improvement projects. <p>2) Student Success & Educational Excellence Committee – Dr. Cram reported on the Student Success & Educational Excellence Committee meeting held on November 11. – He highlighted the following:</p> <ol style="list-style-type: none"> a) Dr. Reed reported on negotiations with four year partners regarding the implementation of 3+ 1 programs. b) Dr. Reed provided an update on the College's progress in compliance of the state requirements for open source textbooks and digital materials. c) Program changes were discussed for informational purposes only. d) Dr. Reed provided a proposal developed with faculty buy in to address dual credit instructor qualifications and quality control of course outcomes. The proposal is based on the use of 		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>bifurcated grades, and the committee recommended that the proposal be reviewed with the county's superintendents.</p> <p>3) Graduate Trustee Report – Trustee Deinhardt is working with a small group of diverse students to seek input on student concerns. She reported that the students were dissatisfied with the current advisor/registration process and the graduation apparel.</p> <p>4) Governance Committee – Trustee Suzanne Brennan reported on the meeting held on November 13. She highlighted the following:</p> <ul style="list-style-type: none"> a) Two policies were reviewed and one will be lodged tonight and the second reaffirmed in January. b) The committee supported initiating a full policy review utilizing a consultant. c) Guidelines for the election process were codified. d) The process for the President's evaluation was reviewed. e) The Board self-evaluation survey will be reviewed and revised if necessary and then administered in January. f) Professional Development opportunities include attendance at the ACCT Legislative Summit in February and the implementation of focused workshops this year. <p>5) Brookdale Community College Foundation – On behalf of the Foundation, Dr. Stout reported on their fundraising activities, including the "Invest in Student Success Campaign", the call for Distinguished Alumni and Honorary Degree nominations, the planning for the Scholarship Ball on June 5, 2020, funding for the replacement of computers in the Library and the support of creating partnerships with area businesses.</p>		
<p>Approval of Public Business Meeting Minutes – October 29, 2019</p>	<p>A motion to approve the minutes from the public business meeting held on October 29, 2019 was made by Trustee L. Brennan and seconded by Trustee S. Brennan.</p> <p>Motion passed unanimously.</p> <p>ABSTENTIONS: Trustee Ferraro</p>	
<p>Approval of Executive Session Minutes – October 29, 2019</p>	<p>A motion to approve the executive session minutes from the meeting held on October 29, 2019 was made by Trustee Horl</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	<p>and seconded by Trustee Rambaud.</p> <p>Motion passed unanimously.</p> <p>ABSTENTIONS: Trustee Ferraro</p>	
<p>Public Comment on Agenda Items –</p> <p>There was no public comment on agenda items.</p>		
<p>Consent Agenda</p> <p>A. Acceptance of Gifts</p> <p>B. Approval of Human Resources</p> <p>C. 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>D. Open Invoice Payment Requests for Vendor, Student and Employee Payments</p> <p>E. Monthly Financial Reports</p>	<p>A motion to approve the consent agenda was made by Trustee Becht and seconded by Trustee Rambaud.</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 Memorandum of Agreement between The Brookdale Community College and the BCAA</p>	<p>A motion to approve by resolution the memorandum of agreement between Brookdale Community College and the Brookdale Community College Administrative Association was made by Trustee Rambaud and seconded by Trustee Horl.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	<p>YES: Trustees Becht, L. Brennan, Cram, Deinhardt, Ferraro, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: Trustee S. Brennan</p>	
<p>Approval of Memorandum of Agreement between the Brookdale Community College and the PSA</p>	<p>A motion to approve by resolution the memorandum of agreement between the Brookdale Community College and the Professional Staff Association was made by Trustee Richens and seconded by Trustee Horl.</p> <p>YES: Trustees Becht, L. Brennan, Cram, Deinhardt, Ferraro, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: Trustee S. Brennan</p>	
<p>Lodging of Policies</p>	<p>A motion to lodge revised policy 6.3000 Student conduct was made by Trustee Richens and seconded by Trustee S. Brennan.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Deinhardt, Ferraro,</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	Horl, Kaufmann, Rambaud, Richens and Chair Abby-White. NO: None ABSTENTIONS: None	
<p>Public Comment</p> <p>Nicholas Picarello, Former Health Science Student – Nicholas commented on a complaint he had submitted to the President where he documented that while he was a student, the college created and caused an unsafe environment. In addition he reported that an act of retaliation by a health science faculty member occurred which the President failed to act on.</p> <p>Tom Brennan, Radio Station Manager – Mr. Brennan provided an update on their fundraising activities. He also reported that radio station personnel have reported health problems over the years, which he believes is linked to environmental concerns to their location in the basement of ATEC. He urged the Board of Trustees to provide them working conditions where they will not get sick.</p>		
<p>Old/New Business</p> <p>Trustee Horl provided an update on the Community College Opportunity Grant bill (A5979) which will be considered at the Assembly Appropriations Committee In December.</p> <p>Chair Abby-White announced that the Executive and Finance & Facilities committees have been changed to Wednesday, December 11.</p>		
<p>Resolution to Hold a Closed Meeting</p> <p>College Counsel read the Resolution to hold a closed meeting (Attachment A)</p>	<p>A motion was made to hold a closed session by Trustee Richens and seconded by Trustee S. Brennan.</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 Richens and seconded by Trustee Abby-White.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	Motion passed unanimously.	
<p>Adjournment</p> <p>Meeting adjourned at 7:20 PM</p>	<p>A motion to adjourn the meeting was made by Trustee Becht and seconded by Trustee Horl.</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 3 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 **November 19, 2019 at approximately 7 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 November 19, 2019

"(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 matters falling within the Attorney-Client Privilege.**

"(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 60 minutes after which the public meeting of the Brookdale Community College Board of Trustees shall (select one) 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.

RESOLUTION
Approved November 19, 2019