

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

March 24, 2020

**Brookdale Community College
Zoom Meeting hosted at
Warner Student Life Center
Navesink Rooms
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 March 18, 2020 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 (5:40 PM)	Dr. Joan Scocco
	Ms. Suzanne Brennan, Trustee	Ms. Patricia Sensi
	Dr. Hank Cram, Vice-Chair	Mr. Ed Johnson
	Mr. Paul Crupi, Trustee	Ms. Kathy Kamatani
	Ms. Lauren Deinhardt, Trustee	Dr. William Burns
	Ms. Barbara Horl, Trustee	Ms. Bonnie Passarella
	Mr. Bret Kaufmann, Trustee (5:35 PM)	Dr. Anita Voogt
	Dr. David M. Stout, Secretary	Ms. Teresa Manfreda
	Ms. Marta Rambaud, Trustee	
		Ms. Cynthia Gruskos, Recorder
Absent	Ms. Madeline Ferraro, Trustee	
	Dr. Les Richens, Trustee	
College Counsel	Mr. Mitch Jacobs, Esq., General and Labor Counsel	Mr. Ray Savacool, T & M Associates, Engineer of Record

Chair Abby-White read the mission statement: Brookdale Community College empowers a diverse community by providing open access to high quality and cost-effect educational and lifelong learning options with clear paths to personal, educational and economic success.

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Adoption of Agenda</p>	<p>A motion to adopt the meeting agenda was made by Trustee Horl and seconded by Trustee S. Brennan</p> <p>Motion passed unanimously.</p>	
<p>Review 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 Vice-Chair Cram and seconded by Trustee S. Brennan</p> <p>Motion passed unanimously.</p>	
<p>President’s Report</p> <p>A. Acknowledgement of Sabbatical and Educational Leave Recipients Dr. Stout acknowledged the approved Faculty Sabbaticals for Professor Michael Broek and Professor Paul Tucker. He provided a summary of the purposes and expected outcomes of their sabbaticals.</p> <p>B. Acknowledgement of College Community –</p> <p>Dr. Stout acknowledged the very hard work of the entire campus community in making this transition from our traditional educational platform into a completely remote online learning environment starting on March 11. He reported that our student services are being offered online, which include library services, academic advising, registration, and tutoring support services. The workforce very quickly adapted to working remotely. He relayed that the students are providing positive feedback on the use of Zoom technology.</p>		

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<p>Reports from the Board Committees and Liaisons - Chair Abby-White announced due to time constraints of the virtual meeting the committee reports will be uploaded to BoardMax for review.</p> <ul style="list-style-type: none"> A. Finance & Facilities Committee – March 16, 2020 – Vice-Chair Cram B. Governance Committee – March 18, 2020 – Trustee Suzanne Brennan C. BCC Foundation <ul style="list-style-type: none"> 1. Honorary Degree Nominations 2020 – Dr. Stout 2. Distinguished Alumni Awards at Commencement 2020 – Dr. Stout D. Student’s Perspective – Trustee Deinhardt 		
<p>Approval of Public Business Meeting Minutes - February 25, 2020</p> <p>A. Approval of Executive Session Minutes – February 25, 2020</p>	<p>A motion to approve the minutes from the public business meeting held on February 25, 2020 was made by Trustee Crupi and seconded by Trustee Becht.</p> <p>Motion passed.</p> <p>ABSTENTIONS: None</p> <p>A motion to approve the minutes from the executive session held on February 25, 2020 was made by Trustee Deinhardt and seconded by Trustee S. Brennan.</p> <p>Motion passed.</p> <p>ABSTENTIONS: None</p>	
<p>Public Comment on Agenda Items – Chair Abby-White Chair Abby-White read the following directions for providing public comment on agenda items only.</p> <p>If there is anyone who would like to make public comment on agenda items only and you are attending via the Zoom app, please click the Raise Hand in the Webinar controls. When you click</p>		

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<p>the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. You will be unmuted and asked to give your comment, one at a time. Those who are participating via the phone call only, may send an email with your public comment to Dr. Stout at dstout@brookdalecc.edu. Those who are emailing their public comment will have 5 minutes to email Dr. Stout with the subject heading of PUBLIC COMMENT ON AGENDA ITEMS. He will read the statement on your behalf. Please include your full name and the phone number you are calling on, so we can confirm your attendance.</p> <p>Ms. Gruskos confirmed there were no hands raised for public comment. After 5 minutes, Dr. Stout confirmed there were no public comments received via email.</p> <p>Dr. Stout stated that there are 3 College officials in the room, and they did not have any public comment.</p>		
<p>Consent Agenda</p> <ul style="list-style-type: none"> A. Approval of Human Resources- B. Approval of Acceptance of Gifts 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 D. Open Invoice Payment Requests for Vendor, Students and Employee Payments E. Monthly Financial Dashboards 	<p>A motion to approve the consent agenda was made by Vice-Chair Cram and seconded by Trustee Kaufmann</p> <p>Motion passed unanimously.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan, Cram, Crupi, Deinhardt, Horl, Kaufmann, Rambaud and Chair Abby-White</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Authorization to enter into a Cooperative Pricing System with Interlocal Purchasing System Co-op</p>	<p>A motion to approve by resolution to enter into a cooperative pricing agreement with Interlocal Purchasing System Co-op was made by Trustee Horl and seconded by Trustee Rambaud.</p> <p>YES: Trustees Becht, L. Brennan, S. Brennan,</p>	

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	<p>Cram, Crupi, Deinhardt, Horl, Kaufmann, Rambaud and Chair Abby-White</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Authorization to present to Thomas F. Hayes and Roy LaManna an honorary associate degree at Commencement</p>	<p>A motion to present Thomas F. Hayes and Roy LaManna an honorary degree at commencement 2020 was made by Trustee Becht and seconded by Vice-Chair Cram.</p> <p>Motion passed unanimously.</p>	
<p>Lodging of Policies – Chair Abby-White</p> <p>A. Lodging of Policy 4.1002 Chargeback Eligibility</p> <p>B. Lodging of Policy 4.3000 Expenditures and Payments of College Funds</p> <p>C. Lodging of Policy 6.6000 Concurrent Enrollment (previous name – Credits in Escrow)</p>	<p>A motion to lodge the following policies: Policy 4.1002 Chargeback Eligibility, Policy 4.3000 Expenditures and Payments of College Funds, and Policy 6.6000 Concurrent Enrollment (previous name – Credits in Escrow)</p> <p>Motion passed unanimously.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Public Comment</p> <p>Mr. Jacobs read the public comment statement and gave the following instructions on providing public comment:</p> <p>If there is anyone who would like to make public comment and you are attending via the Zoom app, please click the Raise Hand in the Webinar controls. When you click the Raise Hand icon, a hand icon will appear next to your name that will notify the host your hand is raised. You will also see the hand icon turn green. You will be unmuted and asked to give your comment, one at a time. Those who are participating via the phone call only, may send an email with your public comment to Dr. Stout at dstout@brookdalecc.edu. Those who are emailing their public comment will have 5 minutes to email Dr. Stout with the subject heading of PUBLIC COMMENT. He will read the statement on your behalf. Please include your full name and the phone number you are calling on, so we can confirm your attendance.</p> <p>Mr. Jacobs confirmed that there was no one physically present who wanted to make public comment.</p> <p>Ms. Gruskos confirmed there were no hands raised for public comment. After 5 minutes, Dr. Stout confirmed there were no public comments received via email.</p>		
<p>Old/New Business</p> <p>Trustee Horl reported on a recent press release from the Governor’s office, and summarized the key components which she believes will affect the College:</p> <ul style="list-style-type: none"> • Movement was made to place \$900 million in items of appropriation into reserve in order to ensure sufficient cash and budget authority to meet emergency and statutorily required obligations. • Items placed in reserve spending freeze include 50% of college operating aid (\$70,642,712), Community College operating costs (\$9,730,756) and TAG grants (\$21 million). <p>Trustee Crupi commented that the money placed in reserves is for this fiscal year.</p> <p>Dr. Stout will attend a conference call with the other Community College presidents tomorrow with Secretary Smith-Ellis and will update the Board after the conference call.</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 approve by resolution to hold a closed session by Trustee Deinhardt and seconded by Trustee Crupi.</p> <p>Motion passed unanimously.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<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 Kaufmann and seconded by Trustee Rambaud.</p> <p>Motion passed unanimously.</p>	
<p>Adjournment</p> <p>Meeting adjourned at 6:43 PM</p>	<p>A motion to adjourn the meeting was made by Trustee Kaufmann and seconded by Vice-Chair Cram.</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 5 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 **March 24, 2020 at approximately 6:10 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 the salt storage structure on the Lincroft Campus.**

"(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 a discussion of an employment contract (president.)**

"(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.