

**BROOKDALE COMMUNITY COLLEGE**

**Board of Trustees  
Public Business Meeting Minutes**

**May 27, 2020**

**Brookdale Community College  
Zoom Webinar**

- 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 May 21, 2020 at 10:30 AM advance written notice of this meeting was posted on the Brookdale Community College website; emailed to *The Asbury Park Press and the Star Ledger* and filed with the Clerk of the County of Monmouth.

Roll Call:

<b>Present</b>	<b>Trustees</b>	<b>Administration:</b>
	<b>Ms. Abby-White, Chair</b>	Dr. Matthew Reed
	<b>Mr. Dan Becht, Trustee</b>	Dr. Yesenia Madas Dr. Nancy Kegelman
	<b>Ms. Suzanne Brennan, Trustee</b>	Ms. Patricia Sensi
	<b>Dr. Hank Cram, Vice-Chair</b>	Mr. Ed Johnson
	<b>Mr. Paul Crupi, Trustee</b>	Ms. Kathy Kamatani
	<b>Ms. Lauren Deinhardt, Trustee</b>	Dr. William Burns
	<b>Ms. Madeline Ferraro, Trustee</b>	Dr. Joan Scocco
	<b>Ms. Barbara Horl, Trustee</b>	Ms. Bonnie Passarella
	<b>Mr. Bret Kaufmann, Trustee</b>	Dr. Anita Voogt
	<b>Dr. David M. Stout, Secretary</b>	Ms. Teresa Manfreda
	<b>Ms. Marta Rambaud, Trustee</b>	
	<b>Dr. Les Richens, Trustee</b>	Ms. Cynthia Gruskos, Recorder
<b>Absent</b>	<b>Ms. Latonya Brennan, Trustee Ms. Barbara Horl, Trustee*</b>	
<b>College Counsel</b>	<b>Mr. Mitch Jacobs, Esq., General and Labor Counsel</b>	Mr. Ray Savacool, T & M Associates, Engineer of Record

**\*Trustee Horl had technical problems with joining the meeting.**

Chair Abby-White requested a moment of silence in honor of the memory of Brookdale Alumni, Michael Cesta who passed away from complications with COVID-19.

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><b>Adoption of Agenda</b></p>	<p>A motion to adopt the meeting agenda was made by Trustee Deinhardt and seconded by Trustee Rambaud.</p> <p>Motion passed.</p>	
<p><b>President’s Report</b></p> <p>Dr. Stout thanked all those who have supported the fundraising campaign for the COVID-19 Student Emergency Fund. He reported that the campaign has raised \$97,000 and is 20% away from meeting the goal of raising \$125,000.</p> <p>He thanked Sheriff Shaun Golden for the donation of cameras which are contributing to increased security of the College.</p> <p>Dr. Stout shared information on a 3 + 1 agreement with Southern New Hampshire University which will allow Brookdale students to transfer up to 90 credits and complete their Bachelors degree online. He announced our new Dual Admission Agreement with Monmouth University which will allow local students to simultaneously apply to Brookdale and Monmouth University and save a substantial amount of money by attending Brookdale first.</p> <p>Dr. Stout acknowledged the service and contributions of Hilda Dudick, Marian Smith and Ellen Leung and wished them well in their retirements.</p>		
<p><b>Review of Consent Agenda</b></p> <ul style="list-style-type: none"> <li>• <i>Any item may be removed from the consent <b>agenda</b> for discussion by any voting member of the Board of Trustees.</i></li> </ul> <p>A. <b>Adoption of Consent agenda</b></p>	<p>A motion to adopt the consent agenda was made by Vice-Chair Cram and seconded by Trustee Richens.</p> <p>Motion passed.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p><b>Reports from the Board Committees and Liaisons</b> - Chair Abby-White announced that the Committee reports have been submitted in the board packet.</p> <p><b>A. Finance &amp; Facilities Committee – May 19, 2020 – Vice-Chair Cram</b></p> <ol style="list-style-type: none"> <li>1. Chairs Financial Meeting Summary – Vice-Chair Cram Submitted Report in the packet</li> <li>2. Update on Capital Projects – Capital Project Report submitted in Monthly Financial Reports</li> <li>3. Update on Chapter 12 Funding – Vice-Chair Cram reported that the sod issues on the baseball field have been improved. He shared with the College Community that the Chapter 12 funding used for capital improvements has been frozen; although the College does have access to \$6.5 million of Chapter 12 funds which will be used to fund projects next year.</li> </ol> <p><b>B. Student’s Perspective – Trustee Deinhardt Submitted reports in the packet</b></p> <p><b>A. NJCCC – Trustee Horl – no report</b></p> <p><b>B. BCC Foundation – Chair Abby-White emphasized that the Foundation is a key pillar to the College. The Collee engaged Ms. Jennifer Anderson, Consultant, Work Give Play Philanthropic to perform a Foundation Development Effectiveness Review. Ms. Anderson reported on key opportunities for improving the Foundation’s effectiveness by increasing the overall size of the endowment, cultivating individual giving, and growing the Annual Campaign. Chair Abby-White announced that the Foundation will present their strategic plan at the July Public Business meeting and the Foundation will report at the Finance &amp; Facilities meetings.</b></p> <p><b>C. Audit Committee – May 5, 2020 – Trustee Rambaud submitted report in packet</b></p>		
<p><b>Public Comment on Agenda Items</b> – Chair Abby-White gave instructions to the attendees on how to raise their hand in Zoom which would identify their desire to give public comment.</p> <p><b>Aaron Jones, Policy Analyst 32BJ, Service Employees International Union</b> – Mr. Jones encouraged the Board of Trustees to not retain the services of 3H by renewing the third year of their contract. He reported that 3H has repeatedly disregarded the collective bargaining agreement with its employees, resulting in refusal to provide health insurance, wages and paid time off to some of their employees. 3H has also refused to comply with arbitrators’ decisions reinstating unjustly fired employees,</p>		
<p><b>Approval of Public Business Meeting Minutes</b></p> <p><b>A. Approval of Public Business Meeting Minutes – April 28, 2020</b></p>	<p>A motion to approve the minutes from the public business meeting held on April 28, 2020 was made</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p><b>B. Approval of Executive Session Minutes – April 28, 2020</b></p>	<p>by Trustee S. Brennan and seconded by Trustee Ferraro.</p> <p><b>Yes: Trustees Becht, S. Brennan, Cram, Crupi, Ferraro, Deinhardt, Kaufmann, Rambaud, Richens and Chair Abby-White.</b></p> <p><b>No: None</b></p> <p><b>ABSTENTIONS:</b> Vice-Chair Cram</p> <p>A motion to approve the minutes from the executive session held on April 28, 2020 was made by Trustee Crupi and seconded by Trustee Becht.</p> <p><b>Yes: : Trustees Becht, S. Brennan, Cram, Crupi, Ferraro, Deinhardt, Kaufmann, Rambaud, Richens and Chair Abby-White.</b></p> <p><b>No: None</b></p> <p><b>ABSTENTIONS:</b> Vice-Chair Cram</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p><b>Consent Agenda</b></p> <p><b>A. Human Resources Recommendations</b></p> <p><b>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</b></p> <p><b>C. Monthly Financial Dashboards</b></p>	<p>A motion to approve the consent agenda was made by S. Brennan and seconded by Trustee Rambaud.</p> <p><b>YES:</b> Trustees Becht, S. Brennan, Cram, Crupi, Ferraro, Deinhardt, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p><b>NO:</b> None</p> <p><b>ABSTENTIONS:</b> None</p>	
<p><b>Authorization to enter into a Dual Admission Articulation MOU with Monmouth University</b></p>	<p>A motion to approve by resolution to authorize the College to enter into a Dual Admission Articulation Agreement Memorandum of Understanding with Monmouth University was made by Trustee Kaufmann and seconded by Trustee Cram.</p> <p><b>YES:</b> Trustees Becht, S. Brennan, Cram, Crupi, Ferraro, Deinhardt, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p><b>NO:</b> None</p> <p><b>ABSTENTIONS:</b> None</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p><b>Authorization to enter into an Articulation Agreement with Southern New Hampshire University</b></p>	<p>A motion to approve by resolution to authorize the College to enter into an Articulation Agreement with Southern New Hampshire University was made by Trustee Ferraro and seconded by Trustee Richens.</p> <p><b>YES:</b> Trustees Becht, S. Brennan, Cram, Crupi, Ferraro, Deinhardt, Horl, Kaufmann, Rambaud, Richens and Chair Abby-White.</p> <p><b>NO:</b> None</p> <p><b>ABSTENTIONS:</b> None</p>	
<p><b>Public Comment</b></p> <p>Mr. Jacobs read the statement on public comment and gave instructions on how to raise their hand in Zoom which would identify their desire to give public comment.</p> <p>No public comment was made.</p>		
<p><b>Old/New Business – Chair Abby-White</b></p> <p>Chair Abby-White requested that the Committees she assigned to review the RFPs for General Legal Counsel, Labor Counsel and Engineer of Record be prepared to make a recommendation by the Finance &amp; Facilities meeting on June 15.</p> <p>She also called to hold a Workshop in June to give the Board of Trustees the opportunity to review the strategic goals in light of the pandemic and to make adjustments where necessary. She directed Cynthia to survey the Boards’ availability to meet in June. There was a further discussion to determine if the meeting will be held virtually or held in person with social distancing. No decision was made on the meeting place.</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p><b>Resolution to Hold a Closed Meeting</b></p> <p>College Counsel read the Resolution to hold a closed meeting (<b><i>Attachment A</i></b>)</p>	<p>A motion was made to approve by resolution to hold a closed session by Trustee Deinhardt and seconded by Trustee Becht.</p> <p>Motion passed.</p>	
<p><b>Motion to Re-Open the Meeting to the Public</b></p>	<p>A motion was made to reopen the meeting to the public by Trustee Cram and seconded by Trustee Horl.</p> <p><b>Motion passed.</b></p>	
<p><b>Adjournment</b></p> <p><b>Meeting adjourned at 6:56 PM</b></p>	<p>A motion to adjourn the meeting was made by Trustee S. Brennan and seconded by Trustee Horl.</p> <p>Motion passed.</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 **May 27, 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 \_\_\_\_\_

**RESOLUTION**  
**Approved: May 27, 2020**



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"(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

"(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, potential litigation with a student 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.

"(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

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WHEREAS, the length of the Executive Session is estimated to be 30 - 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.

**RESOLUTION**  
**Approved: May 27, 2020**