

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

October 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 October 21, 2020 at 9 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:

Present	Trustees	Administration:
	Ms. Abby-White, Chair	Dr. Matthew Reed
	Dr. Hank Cram Vice-Chair	Dr. Yesenia Madas Dr. Nancy Kegelman
	Mr. Dan Becht, Trustee	Ms. Patricia Sensi
	Ms. Dyese Davis, Trustee	Dr. Joan Scocco
	Ms. Madeline Ferraro, Trustee	Ms. Bonne Passarella
	Ms. Barbara Horl, Trustee	Dr. Anita Voogt
	Mr. Bret Kaufmann, Trustee	Ms. Teresa Manfreda
	Ms. Marta Rambaud, Trustee	Ms. Kathy Kamatani
	Dr. Les Richens, Trustee	Dr. William Burns
	Ms. Hanna Walker, Trustee	Mr. Edward Johnson
	Dr. David Stout, Secretary	Ms. Cynthia Gruskos, Recorder
Absent	Ms. Suzanne Brennan, Trustee	
	Mr. Paul Crupi, Trustee	
College Counsel	Mr. Mitch Jacobs, Esq., General and Labor Counsel	

Mr. Jacobs read the statement on giving public comment in a virtual meeting.

Chair Abby-White announced that this meeting is being recorded.

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 Ferraro.</p> <p>Motion passed.</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>1. Adoption of Consent agenda</p>	<p>Chair Abby-White removed the HR item for Helen Anne Johnson out of the consent agenda for</p> <p>A motion to adopt the revised consent agenda, with the item of Helen Anne Johnson removed from the consent agenda was made by Trustee Cram and seconded by Trustee Kaufmann.</p> <p>Motion passed.</p>	
<p>PTK College Project Presentation – Professor Saragusa introduced the PTK Officers. PTK Officers, Cathleen Kane, Angela Ahmadi and Heather O’Donnell presented the PTK Honors in Action project, “To the Seventh Generation”, PTK Collee Project, Student2Student Transition Mentorship program and a virtual food fellowship.</p>		

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<p>President’s Report –On behalf of the Board of Trustees, Dr. Stout congratulated the entire Brookdale Community College Athletics Department for earning the NJ Collegiate Athletic Association, Region XIX Champions of Character Award. Katie Amundson, Athletic Director, congratulated Dayna Van Pelt, for being awarded the Region XIX John Stauff Scholar Athlete Award.</p> <p>Dr. Stout thanked the departing employees and retirees listed in the packet for their many years of service to the College.</p>		
<ol style="list-style-type: none"> 1. Reports from the Board Committees and Liaisons 2. Finance & Facilities Committee – 3. Chairs Financial Meeting Summary – Vice-Chair Cram provided an update of the meeting held on October 20. He highlighted the following: <ol style="list-style-type: none"> a. Mr. Naparlo spoke briefly about some new monitoring and inspection protocols that were put into place to track and address immediate maintenance issues. b. Vice President Manfreda provided the initial numbers for fiscal year 21 She reported actual to budget projections reflecting that we've collected about 32% of the revenues and total expenditures are about 10%. Both of the figures continue to be lower than historical ranges. Because of the conditions we've been going through with the pandemic more realistic assessment of the budget performance and projections will be made at the end of the first quarter. As of August, the year to year operating revenue is down \$3.7 million, the operating expenditures were down by \$950,000 and if we took the forecast right now and assume that nothing was going to change the college's heading for a deficit of about \$660,000. Although there are efforts on the way to further reduce both expenses and increase revenues that will affect that projection c. The College's legal fees, Government Relations fees and public relations fees report was accepted by the Committee without question or comment and will be voted on this evening for acceptance by the entire Board. d. The Committee reviewed positions to be filled, as a result of vacancies, but also anticipated vacancies. Dr. Reed provided context for the requested faculty positions and the committee supported the majority of the recommended positions that are on the the agenda this evening. e. We also spent some time as we have the last couple of meetings, talking about alternative revenue sources. f. The Chair of the Board reported briefly on activities related to the restructuring of the college's future development and advancement efforts as they relate to the Foundation & Alumni Relations, public and private partnerships and related fund-raising activities. g. Vice President Manfreda discussed options for the development of the new Facilities Master Plan. 4. Update on Capital Projects was made by Mr. Savacool. He reported on ongoing projects. Mr. Savacool reported that subsequent to the installation and completion of the sound panel in Wall, a new sound test will be completed to assure the College is compliant with local sound ordinances. He provided an update on the boiler issue at the Wall Campus, and reported that 		

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<p>representatives from Fulton Boiler and D & B, Fulton’s engineering representative, were on site on October 13 for two days. Several shortcomings, with the system were identified and rectified at the time that they were there on site. Fulton also noted that there were vales that were designed to be automated, but apparently, they had not been hooked up. There has been a request for a cost estimate in order to automate the valves.</p> <p>5. Audit Committee – Trustee Rambaud reported on the Audit committee meeting held on October 19. She highlighted the following:</p> <ul style="list-style-type: none"> a. Internal and external Audits are in progress. The external audit is expected to be completed in December for review and approval by the Board in December. b. The Sate of NJ Audit - A preliminary report will be presented at a meeting this week. Action will be taken to correct any findings. c. The Enrollment Audit for 2020 was complied with no findings. The Committee recommends it for approval tonight. <p>6. Student’s Perspective – Trustee Walker met with the Brookdale Trustee’s Advisory Committee (BTAC) and she highlighted the following:</p> <ul style="list-style-type: none"> a. BTAC and I brainstormed ways to increase online turnout at information sessions or speaker events. Even though students are at home, they still find themselves to busy to attend online events, like transfer information sessions, guest speaker lectures, or a club’s important meeting. Since Zoom has the ability to record meetings, BTAC suggested that meetings and events be recorded and posted online so that students could view them at a later time. b. Students are happy with the activities planned by Student Life & Activity, as well as how the college is promoting academic and therapeutic support services. c. She recommends teachers to share the Student2Student, a Transition Mentorship Program, with their students, because connection with peers is crucial during this time to help students who may feel isolated and need help adjust to college. <p>7. Governance Committee – Chair Abby-White reported on behalf of Trustee Brennan. She announced the slate for Chair, Trustee Cram and Vice-Chair, Trustee Kaufmann. The reorganization meeting will take place next month. She commented that Dr. Stout’s evaluation process has begun, and they have received his self-evaluation.</p> <p>8. NJCCC - Trustee Horl reported on the virtual ACCT Leadership Congress which was attended by Chair Abby-White, Trustee Walker, Dr. Stout, Ms. Gruskos and herself. The ACC T virtual leadership Congress presented a great variety of program offerings over the four days, the format was pretty user friendly and all that attended received valuable information. She announced that Dr. McMenanim, president of Union County College, received the Murray Morton Chief Executive Officer award. The NJCCC State and Federal Policy Committee met on October 16 to continue our advocacy for all the county colleges. She reported that the state budget was signed on September 30, which included level funding for the nine-month period of October 1 2022 - June 30 2021, and additionally, an increase in Chapter 12 funding. The Committee reviewed the strategies that were used that were successful for the budget this year and those that need revision. She also provided an update on NJ legislation which will affect our students.</p> <p>9. BCC Foundation - Chair Abby-White thanked Tim Zeiss for his dedication for serving as the Executive Director of the Foundation and Alumni Affairs over the last 20 years. She reported that Dr. Stout has formed a search committee for the new position that will oversee the Foundation,</p>		

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<p>as well as having expanded leadership responsibilities. She commented on the success of the Foundation Golf Outing and the N95 mask fundraiser, which will also be relaunched in December.</p>		
<p>Public Comment on Agenda Items</p> <p>Matthew Jonas – Matthew did not have a Zoom audio connection, and as a result was unable to give his comment. He was provided with Dr. Stout’s email to send his questions or comments.</p> <p>Ms. Gruskos confirmed no written public comment was received prior to the meeting.</p>		
<p>Approval of Public Business Meeting Minutes</p> <p>A. Approval of Public Business Meeting Minutes – September 22, 2020</p> <p>B. Approval of Executive Session Minutes – September 22, 2020</p>	<p>A motion to approve the minutes from the public business meeting held on September 22, 2020 was made by Trustee Walker and seconded by Trustee Davis.</p> <p>Motion passed.</p> <p>ABSTENTIONS: None</p> <p>A motion to approve the minutes from the executive session held on September 22, 2020 was made by Trustee Rambaud and seconded by Trustee Walker.</p> <p>Motion passed.</p> <p>ABSTENTIONS: None</p>	
<p>Consent Agenda</p> <p>A. Human Resources Recommendations</p> <p>B. Acceptance of Gifts</p>	<p>A motion to approve the consent agenda was made by Trustee Cram and seconded by Trustee Kaufmann.</p>	

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<p>C. Acceptance of Grants</p> <p>D. Application of Grants</p> <p>E. 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>F. Open Invoice Payment Requests for Vendor, Student and Employee Payments</p> <p>G. Monthly Financial Reports</p>	<p>YES: Trustees Becht, Cram, Davis, Ferraro, Horl, Kaufmann, Richens, Rambaud, Walker and Chair Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>HR item – HR change in status of Helen Anne Johnson to a Temporary Associate, Alumni Relations & Engagement effective 11/1/20 with a transition period and the temporary assignment is until further notice but no later than 3/31/21</p> <p>Chair Abby-White commented that she is not opposed to the role, but opposed to the timing of the role and thought filling this position without a VP is premature.</p> <p>Trustee Horl commented that she felt the same way.</p>	<p>A motion to approve the HR change in status of Helen Anne Johnson to a Temporary Associate, Alumni Relations & Engagement effective 11/1/20 with a transition period and the temporary assignment is until further notice but no later than 3/31/21 was made by Trustee Horl, and seconded by Richens.</p> <p>Motion passed.</p> <p>YES: Trustees Cram, Davis, Ferraro, Kaufmann, Rambaud, Richens, Walker</p> <p>NO: Chair Abby-White</p> <p>ABSTENTIONS: Trustee Becht and Horl</p>	
<p>Acceptance of FY20 Enrollment Audit</p>	<p>A motion to accept the FY20 Enrollment Audit was made</p>	

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	<p>by Trustee Rambaud and seconded by Trustee Walker.</p> <p>YES: Trustees Becht, Cram, Davis, Ferraro, Horl, Kaufmann, Richens, Rambaud, Walker 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 to accept the report of legal fees, government relations and public relations was made by Trustee Davis and seconded by Trustee Ferraro.</p> <p>Motion passed.</p>	
<p>Approval of Policies –</p> <ul style="list-style-type: none"> A. Revised Policy 2.0001 Naming Rights B. Revised Policy 4.1000 Tuition and Fees C. Revised Policy 4.7001 Red Flag Identity Theft Prevention Program D. Revised Policy 5.0036 Institutional Review Boards E. Revised Policy 6.1000 Admission Policy F. Revised Policy 6.2000 Financial Aid Policy G. Revised Policy 2.1001 	<p>A motion to approve the following revised policies was made by Trustee Rambaud and seconded by Trustee Horl.</p> <p>Policy 2.0001 Naming Rights, Policy 4.1000 Tuition and Fees, Policy 4.7001 Red Flag Identity Theft Prevention Program, Policy 5.0036 Institutional Review Boards, Policy 6.1000 Admission Policy, Policy 6.2000 Financial Aid Policy, Policy 2.1001 Title IX Policy Against Sexual Harassment (Previous name – SaVE Act and Violence Against Women Act), Policy 3.9002 Equal Opportunity and Non-</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Title IX Policy Against Sexual Harassment (Previous name – SaVE Act and Violence Against Women Act)</p> <p>H. Revised Policy 3.9002 Equal Opportunity and Non-Discrimination (Previous name – 3.9002 Non-Discrimination)</p> <p>I. New Policy 3.0004 Conducting Background Check Policy</p>	<p>Discrimination (Previous name – 3.9002 Non-Discrimination), and new Policy 3.0004 Conducting Background Check Policy</p> <p>Motion passed.</p> <p>YES: Trustees Becht, Cram, Davis, Ferraro, Horl, Kaufmann, Richens, Rambaud, Walker and Chair Abby-White.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Approval of Resolution Establishing Remote Meeting Procedures and Requirements for the Brookdale Community College Board of Trustees During Declared States of Emergency</p> <p>Discussion: Mr. Jacobs provided information on why a resolution needs to be passed, to establish procedures for giving public comment during a virtual meeting.</p>	<p>A motion to approve by resolution the adoption of procedures and requirements for public comment during a remote public was made by Trustee Ferraro and seconded by Trustee Davis.</p> <p>Motion passed.</p>	
<p>Public Comment on Agenda Items</p> <p>Mr. Jacobs read the statement on giving public comment.</p> <p>Kevin Kuhn, Adjunct Mathematics – Kevin commented on the challenges Adjuncts face regarding their lack of benefits, having no negotiated time off, and not receiving payment in the Fall semester until mid-October. He commented that Adjuncts are paid considerably less than other Adjuncts at community colleges and universities. He urged the Board to pay them in the month they work, and treat them with dignity and respect.</p> <p>Dr. Stout responded to Kevin, and thanked Kevin and all of our Adjuncts for the work that they have been doing to make sure that our students stay on track. He said that that he does not make any distinctions between our full time faculty members and our part time faculty members. We're all members of the</p>		

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<p>Brookdale family and he expressed his appreciation to our Adjuncts and we are looking forward to getting back to the table and negotiating the contract.</p> <p>Matthew Jonas – Matthew did not have a Zoom audio connection, and as a result was unable to give his comment. He was provided with Dr. Stout’s email to send his questions or comments.</p>		
<p>Old/New Business - No old or new business was discussed.</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 to approve by resolution to hold an executive session was made by Trustee Davis and seconded by Trustee Walker.</p> <p>Motion passed.</p>	
<p>Motion to Re-Open the meeting to the public</p>	<p>A motion to reopen the meeting to the public was made by Trustee Davis and seconded by Trustee Kaufmann.</p> <p>Motion passed.</p>	
<p>Adjournment</p> <p>Meeting adjourned at 7:15 PM</p>	<p>A motion to adjourn the meeting was made by Trustee Richens and seconded by trustee Walker.</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 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 **October 27, 2020 at approximately 6:55 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: – October 27, 2020

"(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 with Follet, contract negotiations with transactions regarding college assets; and 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

WHEREAS, the length of the Executive Session is estimated to be 45 to 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: – October 27, 2020