

**BROOKDALE COMMUNITY COLLEGE**

**Board of Trustees  
Public Business Meeting Minutes**

**September 22, 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 September 17, 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:

| <b>Present</b>         | <b>Trustees</b>  | <b>Administration:</b>                  |
|------------------------|--|---|
|                        | <b>Ms. Abby-White, Chair</b>                             | Dr. Matthew Reed                        |
|                        | <b>Dr. Hank Cram Vice-Chair</b>                          | Dr. Yesenia Madas<br>Dr. Nancy Kegelman |
|                        | <b>Mr. Dan Becht, Trustee (5:35 PM)</b>                  | Ms. Patricia Sensi                      |
|                        | <b>Ms. Suzanne Brennan, Trustee</b>                      | Dr. William Burns                       |
|                        | <b>Mr. Paul Crupi, Trustee</b>                           | Mr. Ed Johnson                          |
|                        | <b>Ms. Dyese Davis, Trustee</b>                          | Dr. Joan Scocco                         |
|                        | <b>Ms. Madeline Ferraro, Trustee</b>                     | Ms. Bonne Passarella                    |
|                        | <b>Ms. Barbara Horl, Trustee</b>                         | Dr. Anita Voogt                         |
|                        | <b>Mr. Bret Kaufmann, Trustee</b>                        | Ms. Teresa Manfreda                     |
|                        | <b>Ms. Marta Rambaud, Trustee</b>                        | Ms. Kathy Kamatani                      |
|                        | <b>Dr. Les Richens, Trustee</b>                          | Ms. Cynthia Gruskos, Recorder           |
|                        | <b>Ms. Hanna Walker, Trustee</b>                         |   |
|                        | <b>Dr. David Stout, Secretary</b>                        |   |
| <b>Absent</b>          |  |   |
| <b>College Counsel</b> | <b>Mr. Mitch Jacobs, Esq., General and Labor Counsel</b> |   |
|                        |  |   |

Chair Abby-White requested a moment of silence in honor of the memory of Gersh Tomlinson, one of the founding members of Brookdale Community College, passed away in August

Gersh was born in Antigua and served in the British Army during World War II. He earned a master's degree in Education at Columbia University and served as Assistant Principal of Middletown High School before helping to open the doors at Brookdale Community College in 1969. Gersh served as Executive Assistant to the President, the first Black Vice President during our history, and interim President during his 22-year career at Brookdale.

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 Kaufmann and seconded by Trustee Walker</p> <p>Motion passed.</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>1. <b>Adoption of Consent agenda</b></p>  | <p>A motion to adopt the consent agenda was made by Trustee Cram and seconded by Trustee Ferraro.</p> <p>Motion passed.</p>   |                              |
| <p><b>A. Reports from the Board Committees and Liaisons</b></p> <p><b>B. Finance &amp; Facilities Committee</b> – September 15, 2020 – Vice-Chair Cram reported on the Finance &amp; Facilities meeting held on September 15. He provided an update on ongoing issues with capital improvement projects. Vice-Chair Cram provided information on updating the facilities master plan, and reported the request to have a new reserve study to assist in making decisions on future improvements of the facilities. He summarized the financial reporting as of July 31, and reported that both revenues and expenses are both down, which reflect reductions in state aid, lower than expected enrollments and the impact of the Covid-19 pandemic. In addition, he reported that FY20 preliminary figures indicate the college will add approximately 3 million dollars to its net</p> |   |                              |

| Topic and Discussion  | Votes Taken | Action and Follow-up Actions |
|---|-------------|------------------------------|
| <p>position, of which the college plans to invest 1 million in an interest-bearing account. The forecast for FY21 based on current projections could be headed towards a significant deficit for the year. He brought to the attention of the Board of an emergency purchase for remedial work to a water leak in the MAS lower level. Trustee Cram reported on the committee’s interest in examining the College’s institutional development efforts. He further explained that these alternative sources of revenue are being increasingly more important to the College to stabilize tuition and maintain programs. Grants and the Foundation will report minimally quarterly at the meetings. He reported that there was one additional HR recommendation made after the meeting. Gift and grants to be accepted this month were also reviewed.</p> <p><b>C. Student Success &amp; Educational Excellence Committee – September 14, 2020</b> - Trustee Kaufmann reported on the meeting held on September 14. His report focused on the 3 main discussion items:</p> <ol style="list-style-type: none"> <li>1. Voluntary Framework of Accountability (VFA) – Dr. Longo provided a presentation on the Voluntary Framework of Accountability which is designed to give the community college sector more appropriate time frames and metrics to measure student performance. The College is participating with VFA and will allow us to improve our ability to monitor the performance of our programs and to make improvements where needed.</li> <li>2. Curriculum Change - At tonight’s meeting a curriculum change has been recommended for approval to change the degree designation of the Social Science Associate in Arts, Health Science Option to Social Science Associate in Science, Health Science Option. This change will allow improved articulation with the most frequent articulation partners who are now requiring multiple social science courses.</li> <li>3. Open Educational Resources (OER) – Trustee Kaufmann reviewed the update provided by Dr. Reed on the College’s efforts to accelerate development and adoption of OER. He was impressed with the good progress the College has made so far, however it is his understanding that there has been some resistance by faculty, and would encourage the College to continue to make headway in this area.</li> </ol> <p>a) <b>Governance Committee – September 16, 2020</b> - Trustee Brennan reported on the Governance Committee meeting held on September 16. The meeting topics included:</p> <ol style="list-style-type: none"> <li>1. Lodging of Policies – The committee recommended 9 policies for lodging at this meeting. The Committee is periodically reviewing policies to provide updates as well as developing new policies. The Committee has recommended a new policy on Social Media be created, and the first draft was reviewed, with the recommendation from Counsel for major improvements. This policy will continue to be written and reviewed by the Committee.</li> </ol> |             |                              |

| Topic and Discussion  | Votes Taken | Action and Follow-up Actions |
|---|-------------|------------------------------|
| <p>2. Contractually negotiated employee reviews and Board reappointment –There was a discussion on the need to improve the employee evaluation process to allow the Board to have confidence that when they approve appointments, the employees have been properly evaluated and underperforming employees are not reappointed. The Business Optimization Team has been charged with evaluating the employee evaluation process and bring forward recommendations to improve the process at the November Governance Committee meeting.</p> <p>3. Board Professional Development – Trustee Brennan encouraged participation in the ACCT Leadership Congress and announced the dates and that the sessions would be recorded and available for review in the future. She relayed the Committee’s recommendation to continue to replace a Board Retreat with 3 focused workshops during the year. The first workshop will take place in December with a focus on the enrollment projections and building the next budget. The second workshop topic will be selected by the Board Chair and the third workshop in June will focus on defining the strategic priorities and goals for the President for the next year.</p> <p>4. President’s Evaluation – The committee discussed the process for the President’s evaluation and made recommendations for streamlining the process and eliminating the Ad-Hoc Evaluation Committee and including the entire Board in the process.</p> <p>5. President’s Advisory Committee – The Committee reviewed the progress towards the creation of the new President’s Advisory Committee which will be made up a diverse group of leaders in the community.</p> <p><b>D. Student’s Perspective</b> – Trustee Walker reported on the steps she has taken to connect with students and to encourage participation on the Brookdale Trustee Advisory Committee (BTAC). BTAC presently has 6 members and she will continue to encourage participation. She shared student’s positive experience with Faculty and Advisors, however she communicated that students are looking to participate in more activities outside of the classroom, would benefit from online class technology tutorials and felt that dedicated Academic Advisors would improve the advising experience and student performance outcomes.</p> <p><b>E. NJCCC</b> – Trustee Horl reported that the advocacy efforts of the NJCCC and all 18,000 supporters that participated in writing letters of support to the legislature has resulted in the restoration of the \$25 million for community college support into Governor Murphy’s budget. The bills that introduced the restoration of the support and the final budget will be voted on in the near future. She attended a NJCCC meeting on Monday where the highlights of the strategic initiatives of the Council were reviewed.</p> <p><b>F. BCC Foundation</b> – Chair Abby-White reported that the strategic plan for 2021 was reviewed at the Foundation Board meeting on September 17. She encouraged support of the Golf Outing and Dinner as well as purchasing raffle tickets.</p> |             |                              |

| Topic and Discussion | Votes Taken | Action and Follow-up Actions |
|----------------------|-------------|------------------------------|
|----------------------|-------------|------------------------------|

**President’s Report**

**Recognitions**

Dr. Stout congratulated Chair Abby-White for her recognition of receiving the distinguished Trustee award at the NJ Council of County Colleges meeting last night. In addition, he congratulated Susan Pagano for receiving the Phenomenal Woman Under 40 Award by the Girl Scouts of the Jersey Shore.

**Re-opening: Dr. Stout provided the following comments on our reopening and fall enrollment census:**

- I cannot thank our dedicated employees enough for their hard work over the summer to prepare for our fall opening on September 8. Countless hours were spent on our re-opening, the lift was extraordinary. More than 90% of our courses are being taught online, in either asynchronous or live online formats. Other courses that can’t be completed online are being offered on Lincroft and Wall Campuses. Our academic support and student services are also operating primarily remotely. Many other employees are working onsite every day including members of our Police and Security, Finance, Facilities, HR, and our COVID response team. There are far too many people to mention in a brief report, but honorable mentions include our Enrollment Services departments, Academic Institute offices, department chairs, faculty and staff who spent the summer preparing remote instructional materials, the COVID Response Team, and the most popular department of the year, the Teaching and Learning Center.
- At midnight last night, we took our official census. Fall 15-week enrollment landed 8.8% down in our enrollment compared to last year. For context, on June 30, we were 37.6% lower than the same day last year. The college make extraordinary strides to close that gap, and endured extraordinary pressure to get there.
- We are now looking at options for spring class delivery.

**Brookdale President’s Advisory Council**

Dr. Stout provided an update on the newly created President’s Advisory Council, which was the vision of Chair Abby-White last fall, to allow the college to engage with community leaders to ensure the college is meeting the educational needs of the county. The Council was formed by Mr. Johnson and Dr. Voogt with input from Trustees and the Senior Executive Leadership Team. Mr. Johnson reported on the first meeting held today, and will be sharing the meeting notes and action steps which will be taken. He reported that there are 29 active members and 26 of them attended the first meeting.

**MAS water leak**

Dr. Stout provided information on a water leak in the MAS lower level which caused water damage, mold growth, high humidity, and poor air quality. He outlined the steps taken to remedy all the issues

| Topic and Discussion   | Votes Taken  | Action and Follow-up Actions |
|--|--|------------------------------|
| <p>associated with the water damage, and reported the humidity, and air quality are all back to normal. In addition, all lab items were hand washed and sanitized in the labs.</p>   |  |                              |
| <p><b>Public Comment on Agenda Items</b></p> <ul style="list-style-type: none"> <li>• <b>Caroline Caligero – Assistant Professor Sociology</b> – made comment on Open Educational Resources (OER) from a faculty perspective who have not adopted the use of OER materials. She wanted to reassure the Trustees that the objections for the adoption of OER materials is not due to a resistance to change but there are serious valid pedagogical reasons, and offered the following reasons why OER have not been adopted: <ul style="list-style-type: none"> <li>○ Unacceptable quality of OER materials</li> <li>○ Text books are a consistent voice of authority other than the faculty member when teaching beginners.</li> <li>○ Faculty don't want to remove the idea of investment in education, which includes an investment in textbooks</li> <li>○ Used textbooks and older additions are alternatives to lowering costs.</li> </ul> </li> </ul> |  |                              |
| <p><b>Approval of Public Business Meeting Minutes</b></p> <p><b>A. Approval of Public Business Meeting Minutes – July 28, 2020</b></p> <p><b>B. Approval of Executive Session Minutes – July 28, 2020</b></p>  | <p>A motion to approve the minutes from the public business meeting held on July 28, 2020 was made by Trustee Crupi and seconded by Trustee Richens.</p> <p>Motion passed.<br/><b>ABSTENTIONS:</b> None</p> <p>A motion to approve the minutes from the executive session held on July 28, 2020 was made by Trustee Rambuad and seconded by Trustee Horl.</p> <p>Motion passed.<br/><b>ABSTENTIONS:</b> None</p> |                              |

| Topic and Discussion   | Votes Taken   | Action and Follow-up Actions |
|--|---|------------------------------|
| <p><b>Consent Agenda</b></p> <p><b>A. Ratification of August Human Resource Recommendations</b></p> <p><b>B. Human Resources Recommendations</b></p> <p><b>C. Acceptance of Gifts</b></p> <p><b>D. Ratification of August Grant Applications/Acceptances</b></p> <p><b>E. Application for Grants</b></p> <p><b>F. Ratification of August 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 August</b></p> <p><b>G. Emergency 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>H. 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>I. Ratification of August Open Invoice Payment Requests for Vendor, Student and Employee Payments</b></p> <p><b>J. Open Invoice Payment Requests for Vendor, Student and Employee Payments</b></p> <p><b>K. Monthly Financial Reports</b></p> | <p>A motion to approve the consent agenda was made by Trustee Kaufmann and seconded by Trustee Ferraro.</p> <p>.</p> <p>Motion passed.</p> <p><b>YES:</b> Trustees Becht, Brennan, Cram, Crupi, Davis, Ferraro, Horl, Kaufmann, Rambaud, Richens, Walker 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>Approval of Change in Degree Designation – Social Science Associates in Arts, Health Science Option to Social Associate in Science, Health Science Option</b></p>   | <p>A motion by resolution to approve the change in degree designation of the Social Science Associate In Arts, Health Science Option to Social Science Associate in Science, Health Science Option was made by Trustee Kaufmann and seconded by Trustee Davis.</p> <p>Motion passed.</p> <p><b>YES:</b> Trustees Becht, Brennan, Cram, Crupi, Davis, Ferraro, Horl, Kaufmann, Rambaud, Richens, Walker and Chair Abby-White.</p> <p><b>NO:</b> None</p> <p><b>ABSTENTIONS:</b> None</p>                             |                              |
| <p><b>Lodging of Policies –</b></p> <p><b>A. Lodging of Policy 2.0001 Naming Rights</b></p> <p><b>B. Lodging of Policy 4.1000 Tuition and Fees</b></p> <p><b>C. Lodging of Policy 4.7001 Red Flag Identity Theft Prevention Program</b></p> <p><b>D. Lodging of Policy 5.0036 Institutional Review Boards</b></p> <p><b>E. Lodging of Policy 6.1000 Admission Policy</b></p> <p><b>F. Lodging of Policy 6.2000 Financial Aid Policy</b></p> <p><b>G. Lodging of Policy 2.1001</b></p> | <p>A motion to lodge the following policies was made by Trustee Brennan and seconded by Trustee Becht:</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><b>Title IX Policy Against Sexual Harassment (Previous name – SaVE Act and Violence Against Women Act)</b></p> <p><b>H. Lodging of Policy 3.9002 Equal Opportunity and Non-Discrimination (Previous name – 3.9002 Non-Discrimination)</b></p> <p><b>I. Lodging of new Policy 3.0004 Conducting Background Check Policy</b></p> | <p>Discrimination (Previous name – 3.9002 Non-Discrimination), and new Policy 3.0004 Conducting Background Check Policy</p> <p>Motion passed.</p> <p><b>YES:</b> Trustees Becht, Brennan, Cram, Crupi, Davis, Ferraro, Horl, Kaufmann, Rambaud, Richens, Walker and Chair Abby-White.</p> <p><b>NO:</b> None</p> <p><b>ABSTENTIONS:</b> None</p> |                              |

**Public Comment on Agenda Items**

**Sean Nepveu Adjunct Faculty History** – Sean raised concerns he has for the ability of Adjunct Faculty to receive appropriate compensation based on their education that would allow them to pursue a career in Higher Education. He raised a concern about the practice of paying Adjunct Faculty 6 weeks after the courses have begun. He shared his frustrations as a young Faculty Professor to pay for his student loans, not receive access to health insurance, and earning a wage that he believes is not equal to the full-time faculty.

**Charles King, Adjunct Faculty** – Charles was concerned that the Board of Trustees was in an impasse with the Adjunct Faculty Association (AFT) and entered mediation. He has experienced respect and appreciation from his students, the full-time faculty and hoped that the Board of Trustees would show the same appreciation and respect by settling the contract with the Adjunct Faculty Association .

**Jack Ryan, Faculty** – Jack expressed support for our Adjunct Faculty. He asked for an update on the assessment of 7 1/2 week or 8-week semesters.

Chair Abby-White responded that she would ask Dr. Stout to provide information on the assessment and communicate the information.

Dr. Stout read the following statement in response to the public comment on negotiations with the Adjunct Faculty Association which was provided by Labor Council.:

*The Brookdale Community College Negotiations Team has engaged in*

| Topic and Discussion   | Votes Taken   | Action and Follow-up Actions |
|--|---|------------------------------|
| <p><i>good faith negotiations with the Adjunct Faculty Association – AFT and offered to provide the Adjunct Faculty Members with the exact increased overload rates as are presently being provided to the full-time faculty at Brookdale Community College. This is supported by the College’s long-standing past practice of paying Adjunct Faculty and full-time faculty the same per credit rate for overload courses and is further supported by Board Policy 3.1001 which reads that “Adjunct Faculty employed by the College are paid the same rate as the full-time faculty overload rate and may be assigned up to a maximum of nine credit hours, not to exceed 24.5 working hours, as determined solely by the College, in all combined capacities in any week of any term.” Specifically, the College offered the Adjunct Faculty the following overload rates for each credit hour:</i></p> <p style="padding-left: 40px;"><i>2019-2020 - \$850.00 per credit</i><br/> <i>2020-2021 - \$875.00 per credit</i><br/> <i>2021-2022 - \$900.00 per credit</i></p> <p><i>These are the identical rates that were ratified by the Brookdale Community College Faculty Association. The Adjunct Faculty Association rejected the College’s financial offer and seeks additional compensation above the full-time faculty rate. As such, the Adjunct Faculty declared impasse and filed for mediation with the Public Employment Relations Commission (“PERC”). The parties presently await the scheduling of a mediation session with PERC, which has been delayed as a result of the COVID-19 pandemic. The College stands ready, willing, and able to finalize the Agreement with the Adjunct Faculty premised on the same overload rates as the full- time faculty.</i></p> |   |                              |
| <p><b>Old/New Business</b></p> <p>No old or new business was discussed.</p>  |   |                              |
| <p><b>Resolution to Hold a Closed Meeting</b></p> <p>College Counsel read the Resolution to Hold a closed meeting (<b>Attachment A</b>)</p>  | <p>A motion to approve by resolution to hold an executive session was made by Trustee Crupi and seconded by Trustee Walker.</p> <p>Motion passed.</p> |                              |

| Topic and Discussion  | Votes Taken  | Action and Follow-up Actions |
|---|--|------------------------------|
| <b>Motion to Re-Open the meeting to the public</b>                    | <p>A motion to reopen the meeting to the public was made by Trustee Rambaud and seconded by Vice-Chair Cram.</p> <p>Motion passed. .</p> |                              |
| <p><b>Adjournment</b></p> <p><b>Meeting adjourned at 8:25 PM.</b></p> | <p>A motion to adjourn the meeting was made by Trustee Cram and seconded by Trustee Horl. .</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 11 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 **September 22, 2020 at approximately 6:45 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: September 22, 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 – **update on 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 (noise issue and Boiler) the Salt storage structure, potential litigation with Follet litigation with a past employee, and contract negotiations with 3H, Newmark and Macerich**

"(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. **Discussion of an employee's position, and the timeline for the president's evaluation**

"(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

**RESOLUTION**

**Approved: September 22, 2020**

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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.

**RESOLUTION**  
**Approved: September 22, 2020**