

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

May 25, 2021

**Brookdale Community College
Zoom Webinar**

Chair Cram called the meeting to order at 5:30 P.M. and roll call was taken.

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

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 19, 2021 at 9:30 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.

Chair Cram led the Pledge of Allegiance.

Dr. Stout led a moment of silence for the passing of retired Brookdalian, Joan Zyskowski, Adjunct

Professor Kristopher Pallein who taught in our Computer Science and Engineering departments, retired Brookdalian, Carol Lynn and Adjunct Instructor Ed Kropinak. He extended our sincere thoughts and prayers to their families and friends.

Mr. Jacobs read the statement on giving public comment in a virtual meeting and announced that this meeting is being recorded.

Chair Cram read our mission statement:

Brookdale Community College empowers a diverse community by providing open access to high quality and cost-effective 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 Vice-Chair Kaufmann and seconded by Trustee Abby-White.</p> <p>Motion passed.</p>	
<p>President’s Report – Dr. Stout began his President’s Report by thanking everyone who participated in Commencement 2021, including our Board of Trustees and every employee who was there to celebrate our students. He said that their cheers made this an extra special experience to the more than 400 students and their families who were in attendance. He extended a special thank you to Lauren Brutsman and her team for developing the best Community College Commencement in New Jersey.</p> <p>He brought attention to a number of Human Resource actions in the packet, as we have a number of employees who are retiring after substantial amount of service to the College. He brought attention to the upcoming retirements of Professor Stein of the Fine Arts Department, Linda Martin of CPS, Jackie Kugit of the Human Resource Department and the retirement of Gloria Dyson, a former Administrator of the Learning Disabilities Department. He thanked Charles Volpi, Kevin Burkitt, Amanda Richardson, James Pucaro and John Scarinzi for their service to the College and wished them well.</p> <p>Dr. Stout congratulated our new instructors, Maria Bouchard, William Roll and Ryan Kearns. He announced our brand-new Director of Diversity & Inclusion, Angela Kariotis. He also congratulated Mary Beth Reilly and Michael Naparolo for being selected in their permanent roles that they were formerly in interim positions and Dawn Murry and Margaret Agha for assuming new roles at the College.</p> <p>Dr. Stout congratulated all of the Administrators who are being renewed at tonight’s meeting. He said their work has been exceptional during extraordinary circumstances and he is very proud to present their contract’s for renewal in today’s meeting.</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
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Chair Cram also congratulated all the people who worked on the graduation, and he said that it surpassed his expectations and felt it also exceeded the expectations of the students and their families.

Reports from the Board Committees and Liaisons

A. Finance & Facilities Committee – May 18, 2021 – Trustee Abby-White highlighted the following from the meeting held on May 18:

1. Capital Project Update – Mr. Savacool reviewed his May Facility Project Report and there were specific discussion on the plan for the completion of the emergency lighting project, the completion of the Salt Storage Building, the awarding of contracts for the construction of the ATEC retaining wall, roof repairs, and the lightening protection system.
2. Insurance Buyers Council (IBC) – Representatives from IBC, an advisory firm retained by the College to prepare the RFP for property and liability insurance and to ensure a fair and competitive process, presented their recommendations, including total estimate costs. They advised that that the estimated costs are 15% higher than our expiring program but they indicated that they thought it was a favorable program based on market conditions.
3. Financial Reporting – Vice President Manfreda reviewed her financial report, and highlighted that total revenues are down 9.7% lower than the same time last year and expenses are down 1% in comparison to last year. The monthly cash balances are averaging \$26.3 million compared to \$19 million last year. There were recommendations made to invest excess revenue into programs that will generate revenue and will not generate recurring expenses, as well as minor capital and demolition of vacant buildings. There was a recommendation that the demolition of our vacant buildings could help with reducing our insurance rates.
4. Purchases – The 44 recommended purchases were reviewed.
5. MOU Brookdale Rutgers Partnership –This MOU memorializes the partnership relationship and the original intent that Rutgers will pay an annual partnership fee in addition to their lease.
6. HR – The HR recommendations were reviewed which included the 134 reappointment of Administrators who have been evaluated and recommended for renewal. The Committee reviewed and approved 7 positions to be posted with a net zero gain in employee headcount.
7. Grants/Foundation – Vice President Kaari recommended approval of grants applications in our Packet and she reviewed the Foundation’s financial position. Trustee Abby-White stated there has been a renewed focus on increasing the development of new grants and she thanked Laura Qaissaunee under the leadership of Nancy Kaari for all their work they are doing for our students.

Chair Cram recommended that the Governance Committee should develop policies and regulations for wearing Body-worn cameras and releasing the information captured by the cameras.

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>B. Audit Committee – May 17, 2021 – Trustee Crupi highlighted the following from the meeting held on May 17:</p> <ol style="list-style-type: none"> 1. Independent Auditor - VP Manfreda reported that the RFP for Independent Audit Services was sent to 7 firms and we received 3 replies. VP Manfreda and Dr. Kegelman reviewed the responses and scored them against criteria including costs, qualifications, past performance, quality of their personnel, and adequacy of their audit approach. Based on the results of that analysis, VP Manfreda recommended awarding the contract to O’Connor & Drew, PC. The Committee supports the recommendation. 2. External Auditor - VP Manfreda reported that the RFP for Internal Audit Services was sent to 11 firms and we received 4 replies. VP Manfreda and Dr. Kegelman reviewed the responses based on established criteria, and recommend awarding to PKF O’Connor Davies, LLP. The Committee supports the recommendation. 3. Ethics Hotline Report – nothing to report 4. FY20 Census Data & OPEB Review Completion – VP Manfreda updated the Committee on the request made by the Division of Pension and Benefits in August 2020 to review our records related to GASB 74, financial reporting for postemployment benefit plans other than pension plans. The College supplied the requested information and received an email reporting that the review was complete. <p>C. NJCCC Update - Trustee Horl provided an update on the advocacy work of the NJCCC Federal and State Policy Committee on the State FY22 budget requests. She explained that they are lobbying for an additional \$5 million in operating aid, in addition to the \$5 million proposed by the Governor. The Committee also discussed the America’s College Promise, which aims to provide two years of tuition free Community College to all Americans, including Dreamers through the formation of state and federal partnerships. This is an extensive piece of legislation and ACCT and AACC will be providing more information to all Trustees. In addition, she provided information on the following bills that are of interest for Community Colleges:</p> <ol style="list-style-type: none"> 1. A246 – would allow Community Colleges to construct, operate and maintain dormitories for students. This bill is permissive and not mandatory. 2. A5232 – would require public institutes of higher education to develop a faculty and student diversity plan. This plan would have to be developed and submitted to the Secretary of Higher Education annually, who, in turn, is required to submit all the compiled data to the Governor and Legislature annually. It directs the governing bodies of institutions to assign a person to serve as a Faculty Diversity Ambassador, to ensure the implementation of a diversity strategic plan. This plan must provide annual diversity training to all who serve on a Faculty Research Search Committee. Institutions will be required to increase the number of unrepresentative racial and ethnic groups. 5. 4836 – would establish a task force to evaluate the quality and efficacy of costs and outcomes of online courses by institutions of higher education during the pandemic. The task force would have 16 members, which includes a Community College president, and will have 2 years to report on their findings. <p>D. Student’s Perspective – Trustee Walker reported that student’s focused on ending the spring semester strong. Students are excited for the start of the summer and return to a more normal fall semester. She reported that students are curious about what the health and safety guidelines will be in the fall, since the announcement of the easing of restrictions in New Jersey. She had the honor in</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>participating in the drive through commencement, and she said graduates were very thankful for the ceremony.</p> <p>E. Foundation Update – Trustee Abby-White reported on the Foundation meeting held on May 20. The Foundation held their elections for Officers and Julia Zapcic was elected President, Susan Whyman was selected as Vice President, Phil Ferraro will be Treasurer, and Perry Scaranni will serve as Secretary. She announced that they will be moving to a new CRM and will be using Salesforce. The Foundation Office will be moving to a more central location in the BAC building. The Summer Bash will be held on July 19, and she encouraged 100% participation in the event from the Trustees. She also announced that the Golf Outing will be held on September 23 at Eagle Oaks Country Club.</p>		
<p>Public Comment on Agenda Items</p> <p>There was no public comment.</p> <p>Ms. Gruskos confirmed there were no written comments submitted.</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. Acceptance of Consent Agenda</p>	<p>A motion to adopt the consent agenda was made by Trustee Crupi and seconded by Trustee S. Brennan.</p> <p>Motion passed.</p>	
<p>Approval of Public Business Meeting Minutes</p> <p>A. Approval of Public Business Meeting Minutes – April 27, 2021</p>	<p>A motion to approve the minutes from the public business meeting held on April 27, 2021 was made by Trustee Davis and seconded by Trustee Ferraro.</p> <p>Motion passed.</p> <p>Abstentions: Trustee Walker</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>B. Approval of Executive Session Meeting Minutes – April 27, 2021</p>	<p>A motion to approve the Executive Session Minutes for the meeting held on April 27, 2021 was made by Trustee Horl and seconded by Trustee Abby-White.</p> <p>Motion passed.</p> <p>Abstentions: Trustee Walker</p>	
<p>Consent Agenda</p> <p>A. Approval of Human Resources</p> <p>B. Application of Grants</p> <p>C. Purchases in Excess of \$36,400 and New Jersey “Pay-to-Play” bids, and Pursuant to the New Jersey “Pay to Play” Process, in Excess of \$17,500</p> <p>D. Open Invoice Payment Requests for Vendor, Student and Employee Payments</p> <p>E. Monthly Financial Reports</p> <p>F. Spring Semester Financial Forecast</p> <p>G. Capital Project Update</p>	<p>A motion to approve the consent agenda was made by Trustee L. Brennan and seconded by Trustee Kaufmann.</p> <p>Motion passed.</p> <p>YES: Trustee Abby-White, L. Brennan, S. Brennan, Crupi, Davis, Ferraro, Horl, Kaufmann, Richens, Walker and Chair Cram.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Approval of Memorandum of Understanding (MOU) Brookdale-Rutgers Partnership</p>	<p>A motion to approve the Memorandum of Understanding (MOU) Brookdale-Rutgers Partnership was made by Trustee Richens and seconded by Vice-Chair Kaufmann.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	<p>Motion passed.</p> <p>YES: Trustee Abby-White, L. Brennan, S. Brennan, Crupi, Davis, Ferraro, Horl, Kaufmann, Richens, and Chair Cram.</p> <p>NO: None</p> <p>ABSTENTIONS: Trustee Walker as she is a current student of Rutgers at Brookdale.</p>	
<p>Public Comment Mr. Jacobs read the public comment statement and the directions on making public comment. There was no public comment.</p> <p>Ms. Gruskos confirmed there was no written comments submitted.</p>		
<p>Old/New Business -</p> <p>Trustee Brennan announced the Board retreat will be held on the evening of July 30 and continue on the morning of July 31. In addition, she thanked all those involved in commencement this year. She brought attention to the steps we are taking at the College to actualize the Stigma Free Pledge we took.</p> <p>Trustee Abby-White announced a partnership with the Bonnie Brae School, which is a school for boys who have survived catastrophic life events, to introduce a new pilot program to provide funding and mentorship to allow selected students to pursue their education at Brookdale.</p> <p>Chair Cram announced the Board retreat will begin at 5:30 PM on Friday, July 30 and the Trustees will receive information in advance which Dr. Stout has been collecting and will be reviewed that night, to allow for a long-range planning discussion on Saturday, July 31.</p> <p>Dr. Stout introduced new employee Angela Kariotis, Director, Diversity & Inclusion, who introduced herself and who is looking forward to working with everyone.</p>		
<p>Resolution to Hold a Closed Meeting</p> <p>Mr. Jacobs read the resolution (Attachment A) to hold a closed executive session.</p>	<p>A motion to approve by resolution to hold an executive session was made by Trustee Walker and seconded by Trustee Richens.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	Motion passed.	
Motion to Re-Open the Meeting to the Public	A motion to re-open the meeting to the public was made by Trustee Richens and seconded by Trustee Horl. Motion passed.	
Adjournment Meeting adjourned at 7:28 PM	A motion to adjourn the meeting was made by Trustee Richens and seconded by Trustee Crupi. Motion passed.	

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 25, 2021 at approximately 6:30 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 :

"(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: **contract negotiation with Follett, attorney client privilege on an issue with a contractor, contract negotiation in relation to a matter concerning real estate; litigation with students; and attorney client privilege on holding a remote public meeting in conjunction with an in-person meeting**

"(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 30 - 45 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.