

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

November 16, 2021

**Brookdale Community College
Student Life Center, Navesink Rooms
765 Newman Springs Rd.
Lincroft, NJ 07738**

And Zoom Webinar

Vice-Chair Kaufmann called the meeting to order at 5:30 P.M. and roll call was taken. Vice-Chair Kaufmann chaired the meeting.

Present	Trustees	Administration:
	Ms. Abby-White, Trustee	Dr. Matthew Reed
	Ms. Latonya Brennan, Trustee	Dr. William Burns
	Ms. Suzanne Brennan, Trustee	Dr. Nancy Kegelman
	Dr. Hank Cram, Chair	Dr. Yesenia Madas
	Ms. Barbara Horl, Trustee	Mr. Edward Johnson
	Mr. Bret Kaufmann, Vice Chair	Ms. Patricia Sensi
	Ms. Marta Rambaud, Trustee	Ms. Teresa Manfreda
	Dr. David Stout, Secretary	Ms. Kathy Kamatani
	Mr. Austin Smith, Trustee	Dr. Anita Voogt
	Ms. Natalie Watson, Trustee	Ms. Bonnie Passarella
Absent	Mr. Paul Crupi, Trustee	Dr. Joan Scocco
	Ms. Dyese Davis, Trustee	Ms. Cynthia Gruskos, Recorder
	Dr. Les Richens, Trustee	
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 November 11, 2021 at 8:30 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.

Vice-Chair Kaufmann led the Pledge of Allegiance.

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

Vice-Chair Kaufmann 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.

Dr. Stout lead a moment of silence to honor the memory of Lisa Virga who was an Adjunct Instructor in the Psychology & Human Services Department and a skilled mental health counselor in our local community. On behalf of the entire College, Dr. Stout offered condolences to her son, partner, family, colleagues, and friends.

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Adoption of Agenda	<p>A motion to adopt the agenda was made by Trustee Horl and seconded by Trustee Abby-White.</p> <p>Motion passed.</p>	
<p>Board of Trustees Reorganization</p> <p>A. Election of Officers of the Board of Trustees</p> <p>Trustee Suzanne Brennan nominated Trustee Cram for Chair.</p>	<p>Mr. Mitch Jacobs, Esq. called for a roll call vote on the nomination of Trustee Cram as Board Chair for 2021-2022.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Horl, Kaufmann, Rambaud, Smith and Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p> <p>Trustee Cram elected as Chair.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Trustee Suzanne Brennan nominated Trustee Kaufmann as Vice-Chair.</p> <p>B. Establishment of a Regular Meeting Schedule of the Board of Trustees & Designation of Public Notice Requirements</p> <ol style="list-style-type: none"> 1. Discussion of Board Schedule 2. Adoption of 2022 Board of Trustees Annual Calendar <p>C. Appointment of Standing Committees – Chair Cram announced that all committee assignment will be carried over through this December. He will reach out to the Board to determine their interest in serving on the various committees and make the committee appointments at the December meeting.</p>	<p>Mr. Mitch Jacobs, Esq. called for a roll call vote for the nomination of Trustee Kaufmann as Vice-Chair for 2021-2022.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Horl, Kaufmann, Rambaud, Smith and Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p> <p>Trustee Kaufmann elected as Vice-Chair.</p> <p>A motion was made to adopt the presented calendar for 2022 & designation of public notice requirements by Trustee S. Brennan and seconded by Trustee Smith.</p> <p>Motion passed.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>D. Annual Signing of Code of Ethics of Brookdale Community College Ethics – Board of Trustees Members were requested to review the Code of Ethics and sign the acknowledgment form.</p> <p>E. Annual Report of the College – Ms. Laura Oncea, Director of Communications presented the format of our annual report which reflects on the Evergreen Strategic Goals and the success of our students. Our annual report will highlight new programming, new partnerships, our distinguished graduates and students, improved communication efforts to our students and community, the generosity of our community to support our students, and the outstanding rankings the College received this year. Brookdale is ranked in the top 3% of Community Colleges in the United States for 2021, ranked #9 of the top 25 colleges offering the best culinary arts programs in 2020, and for the second year in a row awarded the best associate of arts in psychology degree program</p>		
<p>President’s Report –</p> <p>PTK Honors in Action Project –</p> <p>Angela Saragusa, Advisor, Phi Theta Kappa Honor Society presented on the following PTK students who have been recognized for their outstanding achievements:</p> <p>Cathleen Kane and Dani Mannarino will represent Brookdale as our two All USA Academic Team nominees. Cathleen was recognized last year as PTK Leader of Promise and this year as a 4 Star Chapter Member. Dani is also a 4 Star Chapter Member and an HFTP scholar, which recognizes high achieving hospitality students.</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Belinda Asamoah is not only a Wilbur Ray Scholar but she was also invited to be the Student Representative on the search committee for the Director of the Wellness Center. This year a new chapter officer position was introduced and Belinda is the Vice President of Wellness and she is focusing on providing resources and information for wellness and self care.</p> <p>STARS student Aubree Prendergast is newly accepted into Rider University and is their President's Leadership Award Scholarship recipient.</p> <p>Taiphane Orange is also a Wilbur Ray Scholar and a Global Citizenship Award winner. Tai also won the Middle States Scholar Award for completing the MSR Officer Training Program.</p> <p>Linda Truong, is a Global Citizenship Award winner and just won the Bankier Library Research award. Linda is the Vice-President of Scholarship and is using her talents this year to share scholarship opportunities with our students.</p> <p>Julio Santiago is a NASA Fellow, a 5 Star Chapter Member and last year's Distinguished Member.</p> <p>Pathway to Success Honorees have taken the first steps in enhancing their experience with PTK. They are involved in our meetings and events, give their time in service and are demonstrating their leadership potential. We are excited to see them grow with PTK. This semester's recipients are Liam Daly, Leah Josephowitz, and Sophia Dargis.</p> <p>Member of the Semester Brendan Cusak is recognized for his commitment to chapter events, including volunteering at The People's Pantry, a twice monthly pop-up Food Pantry in Asbury Park. Oasis TLC, (Therapeutic Life Center in Middletown), a non-profit organization that promotes inclusion and acceptance of autistic individuals by creating farm centers that provide community interaction, work opportunities, and healthy residences. He has also been a Mentor for our Student2Student Mentoring Program AND he was a Global Citizenship Award winner.</p> <p>Representatives of PTK, Cathleen Kane, Dani Mannarino, Aubree Prendergast, and Linda Truong presented on their PTK Honors in Action project of the year which will focus on how do our inherited practices impact our fashion consumption and how do we empower future generations to close the loop of the buy use throwaway mentality of the fashion industry and instead promote sustainability and our consumption. They shared the goals of their project and planned events and projects, which include a panel discussion on December 7, a children's quilting project to educate future generations of the benefits of fashion recycling and upcycling, a thrift store event, and a donation program to recycle textiles.</p> <p>For the second year in a row, PTK was awarded a Phi Theta Kappa Honors in Action Grant. The purpose of the grant program is to support student engagement and the funds will be utilized to provide an honorarium for the collaborators for their project.</p> <p>Dr. Stout recognized the significant achievements of our students and staff:</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<ul style="list-style-type: none"> • Nil Onder was recognized as the Garden State Athletic Conference Coach of the Year Award. • Theodore Purdon placed 7th overall in the Division III Cross Country National Championship and earned All-American status. The Cross Country Team finished in the top ten in the nation. • Brookdale Head Men’s Basketball Coach, Paul Cisek was inducted into the Upstate New York Basketball Hall of Fame. • The International Center was recognized as one of the top 20 producers of Gilman Scholars in the nation. 		
<p>Reports from the Board Committees and Liaisons</p> <p>A. Finance & Facilities Committee – November 9, 2021 - Trustee Abby-White reported on the Finance & Facilities Committee held on November 9, and she highlighted the following:</p> <ol style="list-style-type: none"> 1. Destination Brookdale – The Marketing Plan for Destination Brookdale was presented. 2. Facilities Update - The Athletic field project is complete. Progress is being made on the lighting and the MAN rear vestibule projects. 3. Financial Reporting - VP Manfreda reported that total operating revenue for the month of September was 3.5% lower than the same time last year. However, auxiliary revenue is up compared to the same time last year. Total operating expenditures were very close to last year, and our auxiliary expenditures are higher than last year, which is expected, due to an increase in activities over last year. The increase in activities also explains the increase in auxiliary revenue compared to last year. Our cash balance remains consistently higher than the same time last year. 4. FY21 Audit - The Finance Division is waiting for fixed asset additions and disposals and the release of the pension bill in order to complete the FY21 Audit. 5. Investments - Executive Director, Matt Siuzdak provided an update on his investment analysis and his research on bank interest rates. He reported that our current bank has a very good rate and he would like to include a third bank in order to diversify our investments. 6. FY23 Budget - VP Manfreda reported the FY23 budget planning has begun. Departmental budgets are under review. The Finance Department is developing 3 to 5 budget models with different tuition and fee scenarios for FY23 which will be presented at the December F&F meeting. 7. Emergency Purchase - VP Manfreda reviewed the request for the ratification of the emergency purchase for the remediation services for storm/water damage at multiple buildings on the Lincroft Campus to not exceed \$40,000. 8. Purchases - VP Manfreda reviewed the 13 recommendations for Purchases which included purchases for Chapter 12 projects, replacement Merv 13 air filters and software funded by CARES funding, drafting tables funded by the Perkins grant and operating purchases to fund landscaping, real estate brokerage services, an RFQ to qualify solar development vendors, and Real Estate Brokerage Services. 		

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<p>9. HR Actions - Associate VP Sensi presented a proposal for 10 replacement positions one new position. All the proposed Faculty positions are pending the FY23 budget. Additionally, Associate VP Sensi informed the committee there are 11 recommended items this month, which include hires, change of status and separations. Ms. Sensi reported that our number of full-time employees has decreased to mirror the downward trend in enrollment. The College goes through multiple steps to analyze every vacancy prior to deciding to replace the position.</p> <p>10. Grants - VP Kaari reviewed the recommendation to accept 1 grant, the Career and Technical Education (CTE) Certificate of Eligibility Educator Preparation Program – with an award of \$190,000. Dr. Scocco commented that this program generated \$500,000 in revenue last year. VP Kaari reported that \$3 million of grants have been awarded in FY22 with another \$2.9 million pending.</p> <p>11. Foundation - VP Kaari reviewed the September 30 Foundation Financial report. Net assets are down in comparison to last year due to investment income declining as a result of market changes since last year. They are watching the Scholarship Fund investments closely; in case they need to make a change in their investments. Expenses are higher than last year due to Salesforce implementation. She also announced the Foundation will receive a \$220,000 endowment.</p> <p>B. Student Success & Educational Excellence Committee – November 8, 2021 – Trustee Cram reported on behalf of Vice-Chair Kaufmann on the meeting held on November 8, and highlighted the following:</p> <ul style="list-style-type: none"> a. Radiologic Technology Program Accreditation - Dr. Edman Institute Dean for Health Science provided a status report on the programmatic accreditation of the Radiologic Technology Program conducted in October by JRCERT a special purpose accreditor. The two-person visiting team made multiple recommendations that the college is in the process of responding to. Seventeen recommendations were made on 5 of the 6 program standards. Both Dr. Edman and Dr. Reed expressed confidence that the college’s response would result in the full accreditation of the program. b. Achievement Gaps - Dr. Reed presented highlights from a report prepared by Dr. Longo on course success rates during the spring 21 semester. The report examined success rates by gender/race and instructional methodology (in-person, online and hybrid) used during the pandemic. The report found an under performance of male students as compared with female students which will receive further examination. It also found success rates as measured by course completion at a record high across all instructional methodologies. The achievement gap between existing demographic groups remained unchanged. A survey will be conducted regarding instructional supports and methodologies in use. c. New Curriculum Development Proposal for Business (OER) - Dr. Reed reported that a new curriculum development proposal has resulted in the use of OER materials in additional courses increasing modestly the overall percentage of courses utilizing open education resources. It has also extended the use of OER materials for dual enrollment courses. d. New Certificate of Legal & Social Justice Academic Certificate of Achievement - Dr. Reed proposed a new certificate in Legal Studies linking together existing courses focusing on legal and social justice. The certificate would be of benefit to students studying human 		

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<p>resources and related degrees by documenting an endorsement in the areas of diversity, equity and inclusion.</p> <p>e. MOA St. John Vianney High School Early College Academy - Dr. Burns presented the revised MOA for the renewal of the agreement between St. John Vianney and BCC governing the operation of the Early Collage Academy. Dr. Burns summarized the changes in the MOA that reflect the College’s and the school’s attempt to improve the agreement. They included a year-to-year term, addition of a AS in computer science and a policy on continuation and exit. It is hoped that the revised agreement will serve as a model for initial and renewal MOAs with other partners</p> <p>f. Dr. Reed provided updates on the General Education Model and any future impact on Brookdale programs of the reduced number of required courses. He also reported that improvements in technology have created constituencies for all three educational modalities. He made specific mention of light boards that the college is currently using</p> <p>g. MDRC’s Inaugural Tool’s For Postsecondary Schools – Dr. Madas announced that the College was selected to participate in this new program which will provide a learning community cohort centered on putting evidence to work for student supports.</p> <p>h. Dr. Stout announced that BCC has been selected to lead the Data Science center for Workforce Innovation and serve as a partner in the Health Technology Center for Workforce Innovation. There is \$400,000 in funding attached to the selection for curriculum development and to serve as a resource for other community colleges.</p> <p>i. Dr. Stout announced that BCC is exploring participation in Achieving the Dream, a consulting service to assist the college in addressing achievement gaps.</p> <p>C. Governance Committee – November 10, 2021 – Trustee Suzanne Brennan and she highlighted:</p> <p>a. The new COVID-19 Vaccination or Weekly Testing Requirement Policy was discussed and recommended for lodging this evening.</p> <p>b. Revised Policies 5.0002 – were discussed and recommended for lodging.</p> <p>c. The Board Self-Evaluation will take place in January.</p> <p>d. Board Retreats – The committee made the recommendation to hold a Board Retreat in years where there are leadership changes. This year a Board Retreat will not be held as Chair Cram and Vice-Chair Kaufmann will continue serving in their positions.</p> <p>e. Professional Board Development – will continue this year through a series of podcasts and articles that Dr. Stout and others will recommend for review and discussion.</p> <p>f. President’s Evaluation Timeline – was discussed and they are hoping to conclude his evaluation by December 14.</p> <p>g. President’s Advisory Committee – Mr. Johnson will provide a quarterly report on the President’s Advisory Committee at the Governance Committee meetings to allow the Board to have another avenue to hear feedback from our community.</p> <p>D. Student’s Perspective – Trustee Smith congratulated PTK on all of their successes. He reported that he attended the Student Life Board’s Speak Out and reported on concerns voiced by our</p>		

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<p>students which included if there would be a continued mask mandate in the spring semester and that some Professors do not hold office hours or respond to emails or messages on Canvas. Trustee Smith brought attention that part-time employees are not contracted to hold office hours of which more than half of our Professors are part-time, which has resulted in our students being frustrated that they can't reach out to their Professors. He also brought up another concern that students voiced about registering early and the professors are listed as to be determined. Students also reported having a tough time socializing outside the classroom and Trustee Smith made suggestions on socializing opportunities to the students. Trustee Smith commented that Dominic Sama did a fantastic job moderating the Speak Out. He provided an update on the E-sports program which has been stagnant due to working through some discrepancies with the contract for the lighting, and the hiring process for the Director is moving along.</p> <p>E. NJCCC Update – Trustee Horl provided her update and highlighted the following:</p> <ul style="list-style-type: none"> a. She reported that the legislature returned yesterday and there will be 5 voting sessions in the legislature before the reorganization. The legislature will determine which bills that have had partial activity over the last 2 years, will move forward. b. On January 11, 2022, the Governor and members of the legislature will be sworn in again. c. NJCCC will present Senator Sweeney a special award, as he has been a champion for community colleges over his 20 years of service in the legislature. d. Mary Zimmerman was elected as the Chair of the NJCCC at the Council's reorganization meeting. e. Trustee Horl reported on the Council's State Budget request for FY 23 will include an increase of \$10 million in operating aid, \$5 million more in CCOG student success funds, and additional \$3 million increase for College Readiness Now, an increase of \$5 million for a new student success initiative which will support retention and completion with a focus on students from underrepresented groups. f. S793 – expands the definition of basic skills and provides a permanent funding floor which will be permanent. <p>F. Foundation Update – Trustee Abby-White reported that the next Foundation meeting is on Thursday.</p>		
<p>Public Comment on Agenda Items -</p> <p>Jonathan Moschberger, Faculty – thanked the Boad for adding a COVID vaccination or testing requirement for the spring semester. He congratulated our PTK scholars, many of whom are students in our Honors Program, and are superstars, the best and the brightest. He congratulated Chair Cram and Vice-Chair Kaufmann on their well-deserved re-election. He commended the Board for their responsiveness and thanked them for their service.</p> <p>Ms. Gruskos confirmed no written comments were submitted.</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Review of Consent Agenda</p> <ul style="list-style-type: none"> Any item may be removed from the consent agenda for discussion by any voting member of the Board of Trustees. <p>A. Acceptance of Consent Agenda</p>	<p>A motion to adopt the consent agenda was made by Trustee S. Brennan and seconded by Trustee Watson.</p> <p>Motion passed.</p>	
<p>Approval of Public Business Meeting Minutes</p> <p>A. Approval of Public Business Meeting Minutes – October 26, 2021</p> <p>B. Approval of Executive Session Meeting Minutes – October 26, 2021</p>	<p>A motion to approve the minutes from the public business meeting held on October 26, 2021 was made by Trustee S. Brennan and seconded by Trustee Watson.</p> <p>Motion passed.</p> <p>A motion to approve the Executive Session Minutes for the meeting held on October 26, 2021 was made by Trustee S. Brennan and seconded by Trustee Rambuad.</p> <p>Motion passed.</p> <p>ABSTENTIONS: Trustee Abby-White</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Consent Agenda</p> <ul style="list-style-type: none"> A. Approval of Human Resources B. Acceptance of Grants C. Emergency Purchase in Excess of \$37,500 and New Jersey “Pay-to-Play” bids, and Pursuant to the New Jersey “Pay to Play” Process, in Excess of \$17,500 Purchase(s) D. Purchases in Excess of \$37,500 and New Jersey “Pay-to-Play” bids, and Pursuant to the New Jersey “Pay to Play” Process, in Excess of \$17,500 E. Open Invoice Payment Requests for Vendor, Student and Employee Payments F. Monthly Financial Reports G. Capital Project Update 	<p>A motion to approve the consent agenda was made by Trustee S. Brennan and seconded by Trustee Watson.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Horl, Kaufmann, Rambaud, Smith, Watson and Chair Cram.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Lodging of New Policy – 2.1003 COVID-19 Vaccination or Weekly Testing Requirement Policy</p>	<p>A motion to lodge new policy - 2.1003 COVID-19 Vaccination or Weekly Testing Requirement Policy was made by Trustee Horl and seconded by Trustee Chair Cram.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Horl, Kaufmann, Rambaud, Smith, Watson and Chair Cram.</p> <p>NO: None</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	ABSTENTIONS: None	
<p>Lodging of Policies</p> <p>A. Lodging of Revised Policy 5.0002 Educational Programs</p> <p>B. Lodging of Revised Policy 5.0004 General Education Policy</p> <p>C. Lodging of Revised Policy 5.0006 Effectiveness of Educational Programs, previously named Policy 5.0006 Accountability for the Effectiveness of Educational Programs</p>	<p>A motion to lodge Policy 5.0002 Educational Programs, Policy 5.0004 General Education Policy and 5.0006 Effectiveness of Educational Programs, previously named 5.0006 Accountability for the Effectiveness of Educational Programs was made by Trustee S. Brennan and seconded by Trustee Smith.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Horl, Kaufmann, Rambaud, Smith, Watson and Chair Cram.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Approval of Legal and Social Justice Academic Credit Certificate of Achievement</p>	<p>A motion to approve by resolution the Legal and Social Justice Academic Credit Certificate was made by S. Brennan and seconded by Chair Cram.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Horl, Kaufmann, Rambaud, Smith, Watson and Chair Cram.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Approval of MOA between St. John Vianney High School – Early College Academy & the College</p>	<p>A motion to approve by resolution a Memorandum of Agreement between St. John Vianney High School – Early College Academy and the Brookdale Community College was made by Chair Cram and seconded by Trustee Rambaud.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Horl, Kaufmann, Rambaud, Smith, Watson and Chair Cram.</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Public Comment</p> <p>Mr. Jacobs read the public comment statement and directions for making public comment in person and via Zoom.</p> <p>Joan Carroll, Acting Chair of Brookdale Adjunct Faculty Union – commented that in 2016 the Adjuncts did not receive the raise they traditionally were given every year and realized they couldn’t do anything about it and they decided to create a Union. The mission of the Union is to provide a voice for the Adjuncts and to give respect to the Adjuncts for their contributions to the College. They were recognized in February 2018. and they presented their first contract proposal in September 2018 and had their first negotiation with the College beginning in January 2019. November 2019, they declared jointly an impasse and applied to the Public Employees Relations Commission to provide a mediator. The first mediation session was March 2020 and because of the pandemic they were unable to continue with in-person mediation. She brought up issues they have raised which included not being able to negotiate their wages, as the Board approved Policy 3.1001 in October 2017, which tied their Adjunct salary to the Full-time Faculty overload rate, which is not an equitable situation for the Adjuncts. They also brought up concerns that they are not receiving a pension, medical benefits, and paid time off. She also brought up another concern that they are not paid in a timely fashion. The Adjuncts do not get paid until the middle of October, and all other employees get paid by-weekly. She stated that their goal is not to negotiate with the Board of Trustees but to inform them of how their contract negotiations are going.</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Gerald Friedman, Adjunct Professor commented on his long history of serving as an Adjunct Faculty for over 30 years, and his positive experience of working with our students and at the College. He questioned if the College values him and every other Adjunct, and suggested the way to confirm this is to negotiate in good faith, and give valid reasons why their salary can't be negotiated. He also thought it was unacceptable to not be paid until mid-October.</p> <p>Ms. Gruskos confirmed that no written comments were submitted.</p>		
<p>Old/New Business -</p> <p>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 (<i>Attachment A</i>)</p>	<p>A motion was made to approve by resolution to hold a closed session by Trustee Horl and seconded by Trustee Abby-White.</p> <p>Motion passed.</p>	
<p>Motion to Re-Open the Meeting to the Public</p>	<p>A motion to re-open the meeting to the public was made by Vice-Chair Kaufmann and seconded by Trustee S. Brennan.</p> <p>Motion passed.</p>	
<p>Adjournment</p> <p>Meeting adjourned at 7:45 PM.</p>	<p>A motion to adjourn the meeting was made by Trustee Watson and seconded by Trustee Smith.</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 **November 16 2021 at approximately 7 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: November 16, 2021

"(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 : **negotiations with the Superior Officers Association and AFT**

"(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: **matters falling within the attorney client privilege regarding issues with COVID Vaccine/Testing Mandate, and anticipated litigation with a contractor.**

"(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 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: November 16, 2021