

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

September 28, 2021

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

And 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	Dr. William Burns
	Ms. Suzanne Brennan, Trustee (6 PM)	Dr. Nancy Kegelman
	Dr. Hank Cram, Chair	Dr. Yesenia Madas
	Ms. Dyese Davis, Trustee	Dr. Joan Scocco
	Ms. Barbara Horl, Trustee	Mr. Edward Johnson
	Ms. Marta Rambaud, Trustee	Ms. Teresa Manfreda
	Dr. David Stout, Secretary	Ms. Kathy Kamatani
	Mr. Austin Smith, Trustee	Dr. Anita Voogt
Absent	Mr. Paul Crupi, Trustee	Ms. Patricia Sensi
	Mr. Bret Kaufmann, Vice-Chair	Ms. Bonnie Passarella
	Dr. Les Richens, 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 September 22, 2021 at 2 PM 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.

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.

Dr. Stout lead a moment of silence to honor the memory of Shijil Philip, IT Technical Support Specialist in the Office of Information Technology. On behalf of the entire College, Dr. Stout offered condolences to Shijil's family and his OIT colleagues.

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Adoption of Agenda	A motion to adopt the agenda was made by Trustee Davis and seconded by Trustee Abby-White. Motion passed.	
Recognition of Trustee Madeline Ferraro – Dr. Stout read a resolution in honor and recognition of Trustee Madeline Ferraro’s service to the Board of Trustees (Attachment A). Dr. Cram presented her with a gift on behalf of the College.		
<p>Reports from the Board Committees and Liaisons</p> <p>Finance & Facilities Committee – Trustee Abby-White reported on the meeting held on September 21, 2021</p> <p>Engineer of Record Ray Savacool reported that all work is now complete on the Lincroft Campus Athletic Fields. Work continues to complete the life safety/additional lighting project.</p> <p>Mr. Naparlo reviewed his Facilities Overview report which included the following items:</p> <ul style="list-style-type: none"> • Materials have been delivered and work has begun on the Retaining Wall project. • Development of the Facilities Master Plan RFP is ongoing and it will be ready to put out to bid in the near future. 		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<ul style="list-style-type: none"> • The houses on Newman Springs Road will be demolished once the permit is completed and the County has time to schedule the demolition which is expected to take place in October. • Wellness Center plans will be reviewed with the donor on September 27. <p>Vice President Manfreda reviewed the financial reporting as of July 31, 2021 compared to FY22 budget. Her highlights included:</p> <ul style="list-style-type: none"> • Tuition revenue is down \$1.2 M. Last year we utilized federal COVID funds to offset revenue losses. Federal COVID funds are also available this year, but VP Manfreda is waiting to determine when it would be the most appropriate time to utilize those funds. • Operating Expenditures are 14.7% higher than last year as expected due to the fact that we are more physically open than last year. • Our cash balance is \$4M higher than the same time last year. • Consideration is being made to transfer some funds to the interest-bearing account in September. \$4.3M is currently earning interest. <p>VP Manfreda reviewed the 9 recommendations for Purchases which included purchases for Chapter 12 projects, software and hardware equipment funded by grants and operating purchases to support Athletics, transcript processing services, and short-term Faculty Led travel programs.</p> <p>Associate Vice President Pat Sensi reviewed three (3) future positions to be filled and the 50 action items being approved tonight, which include hires, change of status and separations. The majority of the hires are the hiring of Adjuncts and Change of Status to allow selected employees to split their time between their regular duties and the COVID Response Team.</p> <p>Vice President Nancy Kaari reviewed the acceptance of 3 grants as well as the application of 3 new grants.</p> <p>VP Kaari reported that \$2.9M of grants have been awarded in FY22 with another \$2.8M pending. She noted that the total unaudited grants awards for FY21 were \$4.8 million and an additional \$4.6 million will be received in FY22.</p> <p>Regarding the Foundation, VP Kaari highlighted that net assets are down in comparison to last year due to a decrease in investment income and timing differences with expenses. She reported that an Advancement Strategic Plan tied to the goals of the Evergreen Plan is being developed and will be shared with the Board.</p> <p>Finally, Dr. Stout updated the committee on real estate issues, progress on Destination Brookdale, investments tied to Strategic Plan 2025, Radio Station Financials, the cost of Student Life Administration, and progress on E-Sports.</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>The Board will have the opportunity to tour the space dedicated for an E-Sports Arena and view renderings of the plans, prior to the October Board meeting.</p> <p>A. Governance Committee – September 20, 2021 – Chair Cram reported on behalf of Trustee Suzanne Brennan. The Governance Committee reviewed a survey for a project on Trustee orientation for the NJCCC, discussed ongoing professional development for the Board and the roles of the Board members in future retreats for the purpose of advancing the College’s strategic plan. The next steps in the electoral process for the selection of the leadership positions for 2022 were outlined and members of the Board who are interested in serving as Chair or Vice Chair should notify the Governance Committee of their interest and prepare a statement in support of their candidacy. The Committee also did some preliminary work to set the schedule for the implementation of the president’s evaluation. The Committee reviewed the new policy on service animals which is on tonight’s agenda for lodging.</p> <p>B. Student Success & Educational Excellence Committee – Dr. Stout reported on the meeting held on September 22. Professor Chad Anderson presented the 5 year program review for the Associate in Arts in Media Studies and Public Relations and the Associates in Applied Sciences in Audio and Video Production. AVP Bill Burns updated the Committee on the progress with the development of the new multimedia courses for the Media Studies Program and the involvement of Communications Media students in the Radio Station and Brookdale TV. VP Reed and AVP Madas briefed the Committee on the notification process for students who test positive for COVID-19 and those students who are close contacts of students who test positive. Dr. Madas mentioned that her department hired two contact tracers to assist with the efforts and Christopher Jeune was holding a Webinar for all employees that same evening. Dr. Reed noted that the success rates of remote live classes were proving to be equivalent to the onsite course success rates, which is impressive, considering the new modality for our instructors and students. VP Reed discussed the NJCCC Pathways and Skills Collaboratives and noted that Brookdale is in the process of applying to the Council to lead two Centers of Excellence, one for Health Technology Administration and the other in Data Science. Dr. Reed also briefed the Committee on the agreement with the Faculty Association to have the Department Chairs supervise N5 staff. Suggested revisions to the Academic Integrity and Grade Appeal processes will be reviewed by Collegial Governance this year. VP Reed updated the Committee that 30% of our courses are utilizing open educational resources (OER).</p> <p>C. Student’s Perspective – Trustee Smith reported he is seeking out students to join the Student Advisory Committee.</p> <p>D. NJCCC Update – Trustee Horl reported on the following NJCCC meetings she has participated in:</p> <ol style="list-style-type: none"> a. August 31 – The Council formally voted on the approval of the new funding formula. 		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>b. September 10 – The Federal Policy Committee met to strategize on the Council’s legislative goals.</p> <p>c. September 20 – A full Council meeting was held and all standing committees provided reports. At the Council meeting, Trustee Horl learned that the International Union of Operating Engineers has been given authority by OSHE that they can now offer an AAS degree in Construction Management, which was concerning to the Council members.</p> <p>E. Foundation Update – Trustee Abby-White reported the Foundation Board is meeting tomorrow. Dr. Stout reported that the Golf outing was a success and raised just under \$60,000. He also reported that honoree Lou Scaduto raised an additional \$11,000.</p>		
<p>Public Comment on Agenda Items</p> <p>Jack Ryan – Associate Professor, English - He requested that the recordings of the meetings be available on the website.</p> <p>Deborah Mura, Professor – Communications Media – She requested that the Board require Brookdale students to be vaccinated for COVID-19. She brought attention that the Board is considering voting on spending \$500,000 on testing for COVID-19 and she suggested some of that money should be used to tell our students’ that vaccines are required for in person learning and helping them to get inoculated.</p>		
<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 Smith and seconded by Trustee Horl.</p> <p>Motion Passed.</p>	
<p>Approval of Public Business Meeting Minutes</p> <p>A. Approval of Public Business Meeting Minutes – August 24, 2021</p>	<p>A motion to approve the minutes from the public business meeting held on August 24, 2021 was made by Trustee Rambaud and seconded by Trustee Davis.</p> <p>Motion passed.</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 Gifts C. Acceptance of Grants D. Approval of Application for Grants E. 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 F. Open Invoice Payment Requests for Vendor, Student and Employee Payments G. Approval of Settlement Agreement H. Monthly Financial Reports I. Capital Project Update 	<p>A motion to approve the consent agenda was made by Trustee Abby-White and seconded by Trustee L. Brennan</p> <p>Motion passed.</p> <p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Davis, Horl, Rambaud, Smith and Chair Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Lodging of New Policy – 6.1006 Service Animals and the ADA Policy</p>	<p>A motion to lodge new policy 6.1006 Service Animals and the ADA Policy was made by Trustee S. Brennan and seconded by Trustee Rambaud.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	<p>YES: Trustees Abby-White, L. Brennan, S. Brennan, Davis, Horl, Rambaud, Smith and Chair Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Public Comment</p> <p>Jack Ryan –Associate Professor, English - supported Deborah Mura’s request that the College institute a vaccine mandate. He also requested there be an assessment of the 7 week semester project. In addition, he requested the recordings of the meetings be accessible via the website without requesting an OPRA request.</p> <p>Written Comments were read. (Attachment B)</p>		
<p>Old/New Business –</p> <p>Trustee Brennan requested that if anyone had interest in serving as Chair or Vice-Chair that they should communicate their interest to her.</p>		
<p>Resolution to Hold a Closed Meeting</p> <p>College Counsel read the Resolution to hold a closed meeting (Attachment C)</p>	<p>A motion was made to approve by resolution to hold a closed session by Trustee Smith and seconded by Trustee Davis.</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 Trustee Abby-White and seconded by Trustee Horl.</p> <p>Motion passed.</p>	
<p>Adjournment</p> <p>Meeting adjourned at 8:13 PM</p>	<p>A motion to adjourn the meeting was made by Trustee Abby-White and seconded by Trustee Horl.</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	Motion passed.	

RESOLUTION

WHEREAS, Madeline Ferraro has served with distinction on the Board of Trustees of Brookdale Community College from October 2016 to August 2021; and

WHEREAS, it should be noted that she had previously served on the Board of Trustees of Brookdale Community College from February 1996 to November 2004; and

WHEREAS, Ms. Ferraro was appointed by the Governor, and served with honor as a respected attorney, civic leader, and loyal ambassador of Brookdale Community College; and

WHEREAS, she advanced the work of the Executive, Finance and Facilities, Policy & Education, By-Laws, Nominating and Governance Committees; and

WHEREAS, Mr. Ferraro will be remembered by her astute observations and that she always put the welfare of Brookdale students at the forefront of any debate or discussion; and

WHEREAS, she served during the period of a presidential search, which resulted in the appointment of Dr. David M. Stout as the 7th president of Brookdale Community College; and

WHEREAS, Ms. Ferraro served during the pandemic crisis, and will be remembered as providing a steady hand and a compassionate heart to the college community; and

WHEREAS, she has always been deeply committed to the betterment and progress of Brookdale Community College and its pursuit of excellence; and

WHEREAS, her deep personal commitment to the College, its staff and students will be long remembered; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees, the President, and the entire College community extends their appreciation to Madeline Ferraro for her many years of service to the Collee; and

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting and a true copy presented to Ms. Ferraro so that she has a permanent reminder of the high esteem she has earned among her colleagues; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor.

Dr. David M. Stout
President
Brookdale Community College

Dr. Henry Cram
Chair
Brookdale Community College

September 26, 2021

COMMENT FOR BOT MEETING 9/28/21 5:30 PM

Jeanne Vloyanetes
1210 Comanche Avenue
Point Pleasant Borough, NJ 08742

Dear Brookdale Community College Board of Trustees,

I joined the Brookdale faculty in 1983, and currently am a member of the history department. In keeping with the College's teaching requirements for the Fall Term, I have two face-to-face classes in Lincroft and three remote-live classes via Zoom. I have been fully vaccinated for protection from the COVID virus since March 2021. I am a primary care provider for my ninety-year-old mother, who is also fully vaccinated, but not in good health.

As I watch the COVID infection rates across Monmouth County, my concerns for everyone's safety remains at a high level. According to the County website, during the past four days of September 20-23, 2021, there were "481 new positive cases of COVID-19 in Monmouth County" and "six new deaths being reported related to COVID-19 in Monmouth County." While on campus, I've observed most students in compliance with the College's mask requirement. But I've also observed some students inside buildings without masks, or improperly wearing masks which don't fully cover the nose and mouth. A few of the students needing to be constantly reminded to properly wear their masks are in my face-to-face classes.

The unprecedented, ongoing threat of the COVID-19 virus prompts me to urge the Board of Trustees to require a COVID vaccination for all Brookdale employees and students. Governor Phil Murphy issued Executive Order No. 253, requiring all preschool to Grade 12 school personnel and all state employees to be fully vaccinated against COVID-19 by October 18, 2021, or be subject to COVID-19 testing at a minimum of one to two times per week. It is time for Brookdale Community College to join in this vaccination requirement. Mask wearing is a helpful virus deterrent, but vaccination is the key to controlling this pandemic.

Since Brookdale already requires that students and employees at the College meet the vaccination or testing requirements for other health threats, why shouldn't COVID-19 be added to this list? As the College clearly states in their COVID-19 policies, "The health, safety, and well-being of our community are of paramount concern and guide all of our decision-making processes. Our decision to return to in-person instruction and services is informed by guidance issued from local, state, and federal public health authorities." The State of New Jersey has made their stance for educational institutions clear. It's time for Brookdale Community College, the County College of Monmouth, to heed this public health guidance.

*Jeanne Vloyanetes, Professor
History Department*

TO: Board of Trustees
Brookdale Community College

FROM: Patricia K. Dillon, PhD
10 Borden Road
Middletown, NJ 07748
Professor of Biology, Brookdale Community College

RE: COVID-19
Written Comments for the September 28, 2021 Board of Trustees Meeting

Please require all Brookdale students and employees be fully vaccinated against COVID-19. A vaccine mandate will

- Reduce the risk of COVID-19 transmission on campus
- Help ensure that in-person classes can run without disruption due to COVID-19 illness and/or quarantine
- Reduce the chaos and paperwork associated with COVID-19 reporting, contact tracing, and protocol enforcement
- Demonstrate that Brookdale, a top educational institution in Monmouth County, “believes in the science”.

An informal poll taken by the college found that 67% of students are fully vaccinated. This means that in a class of 24, 8 students are not vaccinated. With social distancing impossible in fully enrolled classes like mine, students are sitting a little over two feet apart in the same room for three hours. Brookdale claims that the “health, safety, and well-being of our community are of paramount concern”, but this classroom situation is not safe.

Cynthia Gruskos

From: Gregory Liano
Sent: Monday, September 27, 2021 1:46 PM
To: Cynthia Gruskos
Subject: BOT Comment

Dear BOT,

Please consider requiring all Students, Faculty, and Staff at Brookdale to show proof of vaccination by November 1, as Raritan Valley Community College has done.

I am a Brookdale Faculty member, and I have had students in class test positive for Covid-19, putting other students and their families in danger.

Thank you,

Greg Liano
130 Medinah Court
Howell, NJ 07731

Cynthia Gruskos

From: Nancy Noe
Sent: Monday, September 27, 2021 4:41 PM
To: Cynthia Gruskos
Subject: BOT written comment

Hi,

I'd like the following statement to be included; thanks!

The college website states that "the health, safety, and well-being of our community are of paramount concern." Yet it also states "Covid-19 vaccination is not required. It is recommended that students get vaccinated," and nothing more. This is a missed opportunity to educate readers. It also sends a mixed message, which is compounded by the far too mild instruction, "All individuals are encouraged to immediately inform the College if they have tested positive for COVID-19." Individuals should be **encouraged** to return library books on time. In a pandemic, a stonger sense of urgency is certainly called for. If not now, when?

Like 800-plus other colleges in the United States, many of which are community colleges, Brookdale should require Covid vaccination of students. Brookdale used to be at the forefront of initiatives that put students first. Instead, we are now playing catch-up, relying upon students to test, report, quarantine, and read email regularly, when we might have taken proactive measures beyond masking, such as providing Covid testing, reducing class size for social distancing, and requiring vaccinations. As I was making the first seating chart I've ever needed to make in my thirty years here, I was struck by the dark humor of the phrase "rearranging deck chairs on the Titanic." Those words are starting to feel prophetic.

Nancy Noe, English Department

Sent from [Mail](#) for Windows

Cynthia Gruskos

From: Terry Konn
Sent: Sunday, September 26, 2021 6:06 PM
To: Cynthia Gruskos
Subject: BOT meeting - comment

Follow Up Flag: Follow up
Flag Status: Flagged

Cynthia

Please share the following comments/ remarks with the Board of Trustees. Thank you.

Terry

Dear Brookdale Board of Trustees Members:

Covid-19 has shaken us all to the core. Our lives changed instantly and has affected us so personally. We have lost loved ones, friends, colleagues, neighbors and community members. It is time we stop this madness and take action in reducing our losses and protect our community; faculty, staff, students and our families and loved ones. We MUST require vaccinations for anyone coming to campus.

For decades, students have had to show proof of vaccinations; measles, mumps, varicella, etc. This is more important and effects more people. Simply add COVID vaccination to the list of vaccinations, students need to have to attend our college in person. Students can take on-line courses. We can create more on-line sections if needed.

If you are afraid of decreasing numbers don't be. If we become the college that doesn't require vaccinations students will go to schools that do require them. Then you should be afraid. Brookdale has always been ahead of the game. Let's catch up!

Create a mandate for faculty and staff to be vaccinated if they intend on working on campus. Those that are immune compromised or cannot have the vaccine for medical reasons or any other legal and allowable reason should stay home. They do not need to be exposed and we do not need to be potentially exposed. We have the technology and capabilities to be productive off campus.

There is no room for debate. Our lives matter. All our lives.

Terry

Terry M. Konn, Ph.D.
Professor - Radiologic Technology
Global Citizenship Council - Founding Member

Brookdale Community College
765 Newman Springs Rd.
Lincroft, NJ 07738

www.WHEREhopelies.org

"The test of our progress is not whether we add to the abundance of those who have much; it is whether we provide for those who have too little". Franklin D. Roosevelt, 1937

Be a global citizen and share your knowledge and wealth with fellow humans.

Cynthia Gruskos

From: Thomas Cioppa
Sent: Sunday, September 26, 2021 12:24 PM
To: Cynthia Gruskos
Subject: Written comment for BOT meeting on September 28th

Hi Cynthia:

I hope this email finds you and yours well. Please see below a statement I would like to be read/included in the public portion comment of the BOT meeting as I will not be able to be there in person.

Thank you so much,

Tom Cioppa

Dear BOT:

While Brookdale is requiring masks to be worn indoors it is not requiring students, faculty, and staff to be fully vaccinated. Without this requirement the campus community is continually exposed to potential, and possibly deadly, harm. Brookdale has already seen a number of COVID-positive cases and that number will surely rise as the delta variant continues to spread throughout the country: people travel in and out of New Jersey every day. Raritan Valley Community College (RVCC) is requiring proof of vaccination for all students, faculty, and staff by November 1st. RVCC is putting the health and well-being of its campus community ahead of politics; Brookdale needs to do the same. Thank you.

<https://www.raritanval.edu/reopening#:~:text=Therefore%2C%20all%20RVCC%20students%2C%20faculty,staff%20of%20the%20fall%20semester.>

Tom Cioppa, Ph.D.
Professor, Political Science
BCC, 765 Newman Springs Road, Lincroft, NJ 07738

Cynthia Gruskos

From: Caroline Calogero
Sent: Sunday, September 26, 2021 8:18 PM
To: Cynthia Gruskos
Subject: My comment for the BOT meeting on Tuesday

To our Brookdale Trustees,

I write in full support of a mandate to be quickly instituted requiring full vaccination for all staff and students. We would not be the first college in New Jersey to require such and we should not be the last.

Caroline Calogero
C. Calogero
Associate Professor, Sociology

Brookdale Community College
ccalogero@brookdalecc.edu
732.224.2896

Memo

To: Board of Trustees, Brookdale Community College
From: Ellie S. Horgan, Department Chair, Counseling, 1518 Bay Plaza, Wall, NJ
Re: Vaccination Requirements at Brookdale
Date: September 27, 2021
CC: Dr David Stout, President, Dr. Yesenia Madas, AVP Student Affairs,
Cynthia Gruskos, Senior Assistant to President and Board of Trustees

Dear Board of Trustee Members:

Raritan Valley Community College will be requiring proof of vaccination for all students, faculty, and staff on November 1st. This college is one of many institutions in New Jersey, and the country, that has made this important decision to help protect the students and employees of their college or university from the COVID-19 virus and its often tragic and unpredictable impact. Please consider following the lead set by other New Jersey institutions of higher education and recommend that Brookdale Community College adapt this very policy as soon as possible and lift this cloud hanging over us.

As the Department Chair of Counseling, I have the opportunity to speak with our students first-hand and know that this pandemic has wreaked havoc on their mental health. That is a well-known fact universally and includes many folks who work in multiple positions at Brookdale as well. Though mandated masking is helpful, not all students must follow that rule due to possible medical or religious waivers. That is *not* helpful and is confusing to those who are willing to comply and despite their compliance they see the virus spreads to others anyway. We must have more protection than just masks.

The first few weeks of school were frightening and demonstrated to us that we are not protected as much as we should be. The virus has folks in quarantine and some who have contracted COVID-19, including professors. When they are quarantined, that means at least five or more courses/classrooms of students are affected. The impact on our entire college community has put us all in a precarious and disturbing position. We need help.

Mandating the vaccine may not *fully* protect us, we know. However, it does offer another level of protection, along with wearing masks, and reduces some of the fears and serious concerns that have been growing as we move forward. It does present a fair option to students who are uncomfortable or unable to wear masks. They do have the choice of attending classes remotely, either live or fully online. I don't want to see our freedoms erode any more than the next person. However, as my high school American history textbook title reminds us, we have *FREEDOM UNDER LAW*. Our laws must be focused on overall public welfare. We all deserve the freedom to work, learn and grow without worrying about sickness or even death. People die from COVID! Please take the needed measures to resolve these serious issues by requiring all employees and students become vaccinated to be on campus. Thank you for your consideration to this request.

Sincerely,

Ellie S. Horgan, Department Chair of Counseling, ehorgan@brookdalecc.edu

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 4 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 28, 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 _____

RESOLUTION
Approved: September 28, 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 :

"(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 Mandate, implementation of mask mandate and COVID related issues, Real Estate Broker and cybersecurity**

"(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: September 28, 2021