

BROOKDALE COMMUNITY COLLEGE

**Board of Trustees
Public Business Meeting Minutes**

February 22, 2022

**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
	Dr. Hank Cram, Chair	Dr. Nancy Kegelman
	Mr. Paul Crupi, Trustee *	Dr. Yesenia Madas
	Ms. Dyese Davis, Trustee	Dr. Joan Scocco
	Ms. Barbara Horl, Trustee	Mr. Edward Johnson
	Mr. Bret Kaufmann, Vice Chair	Ms. Patricia Sensi
	Ms. Marta Rambaud, Trustee (5:37 PM)*	Ms. Teresa Manfreda
	Dr. Les Richens, Trustee	Ms. Bonnie Passarella
	Dr. David Stout, Secretary	Ms. Kathy Kamatani
	Mr. Austin Smith, Trustee	Dr. Anita Voogt
	Ms. Natalie Watson, Trustee (5:45 PM)	Ms. Bonnie Passarella
Absent		
	* Trustees unable to rejoin Zoom meeting at 8:05 PM	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 February 16, 2022 at 1:30 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 announced that the Board will reaffirm the College's mission, vision and values. He read the 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 Mike DeStefano, Joe Massi, and retired colleagues, Eleanor Miceli, Maria Tarricone, and Richard Masluk. He offered condolences to their families and colleagues.

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Adoption of Agenda	A motion to adopt the agenda was made by Trustee Richens and seconded by Trustee Brennan. Motion passed.	
Approval of Memorandum of Understanding with Africa Universities Fund, Inc. (AUF) Dr. Thomas, Director of International Education Center, introduced our guests, Hijiki Ndukwa , Secretary – General of AUF, Mrs. Judith Oputa-Nikou, AUF Board member, and Sir Dr. Joe Madu, AUF Board Chair. She explained the mission of AUF is to provide access and opportunity to African students and is focused on opening opportunities for students in Nigeria to be competitive in this digital age. The agreement will allow students in Nigeria to attend their courses with American students via Zoom Live classes. Mr. Ndukwa thanked the Board of Trustees for opening Brookdale Community College to anyone in Africa or in Nigeria who are seeking educational opportunity and can in turn be productive citizens of their country and the world. Sir Dr. Madu thanked the Board, the leadership of Dr. Stout, Dr. Thomas and Mr. Johnson on their efforts to build bridges, break barriers, and empower communities within our geographic reach, but also going beyond the Atlantic to empower the world.		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>Dr. Stout brought attention to this unique relationship internationally. He said this is the first time we will be teaching students live in Nigeria, and our students will have the opportunity to interact with people from another country, who share similar goals and dreams. Dr. Stout asked for the support of the Board of Trustees to bring a Brookdale Community College education worldwide and demonstrate that we can deliver education in live time.</p> <p>A motion to approve by resolution the Memorandum of Understanding with Africa Universities Fund, Inc. was made by Trustee Brennan and seconded by Trustee Horl.</p> <p>Motion passed.</p> <p>Signing of MOU Africa Universities, Fund, Inc.</p> <p>Dr. Stout and Chijike Kduwku signed the Memorandum of Understanding.</p>		
<p>President's Report –</p> <p>A. Presentation – Recruitment Efforts and Open House - Mary Beth Reilly, Executive Director of Enrollment Services presented on our Spring 2022 recruitment initiatives which include:</p> <ul style="list-style-type: none"> a. High School Outreach – Outreach begins with the Admissions Staff providing information in the high schools, followed by Apply Days, administration of placement exams and Early Bird (advisement, registration student planning, and financial aid concluding with new student orientation. b. Community Outreach – partner with community agencies to cultivate recruitment of the non-traditional students. c. Events – hosting the Monmouth County College Fair, Open House, Weekly Admissions Sessions, and specialized events on campus. d. Campus tours – in-person tours, virtual tours, and self-guided tours e. Technology Tools - Recruit CRM, Chatbot, and MDRC (allows us to look at student behavior and informs our communications) f. Open House - Anne Marie Sparaco, Director Special Projects presented on our Open House scheduled for April 3, 1 PM – 4 PM. She shared information on the evolution and improvements of the Open House. Each student will be greeted by current students, receive a goodie bag, and start the event with a welcome from the president in the Collins Arena. Technology, recruitment video productions and processes have improved communications with our potential students. Participation has progressively improved, as the Open House initiative has evolved over time. 		
<p>Reports from the Board Committees and Liaisons</p> <p>A. Finance & Facilities Committee – February 15, 2022 – Trustee Crupi reported on the Finance and Facilities meeting held on February 15. He highlighted the following:</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<ol style="list-style-type: none"> 1. Capital Project Update –Ray Savacool, T & M Engineering – provide an update on the projects they manage and there were no significant changes from his previous report. 2. Capital Project Update – Mr. Naparło provided an update, and highlighted the following: <ol style="list-style-type: none"> a. Gorman Hall South Renovation – An award is recommended and will move forward for approval this evening. b. Replacement of Elevator Doors – work is to commence this week. c. Facilities Master Plan (FMP) – SSP Architects is developing the FMP and they have held the kick-off meeting and walk through of the SLC, and Library. The first onsite assessment will begin in early March. d. E-sports - Delays were reported as there were unanticipated needs for greater electric and HVAC capacity. T & M Engineering has been brought in to assist with the planning and engineering process. e. Solar Project – T & M Engineering has been requested to perform a high level review and provide a response to include any concerns. 3. Monthly Financial Reporting – VP Manfreda reviewed the financial reporting as of December 31, 2021 compared tot FY22 budget, at the same time last year. She highlighted the following: <ol style="list-style-type: none"> a. Revenue – Total operating revenue for the month of November was \$50.8M which represents 63.5% of this year’s budget of \$80M, and this is less than 1% lower than the revenue the same time last year. b. Operating Expenditures – were \$33.2M, which is 43% of the FY22 budget, which is a 2.5% increase from last year, which is attributable to increased expenses. c. Cash – balance was \$27.5M which represents a \$315,000 increase over the same time last year. Additional information on our total portfolio of investments can be found in your packet. d. Financial Forecast – was reviewed as well. e. Purchases – were reviewed and are listed in the packet. f. Change Order Request – a request is on the agenda for approval related to the athletic fields with an increase of 19.56%. g. Solar Lease – Acceptance of Solar Lease will be discussed later in the meeting and voted on for approval. h. Approval of FY23 Capital Budget – VP Manfreda reviewed the FY23 Capital Budget which totals \$4,459,000 to fund our Chapter 12 projects. The approved budget will go to the Board of School Estimate for approval. i. Approval of FY23 Chapter 12 Projects – VP Manfreda reviewed the FY23 Chapter 12 general project category requests and the bulk of the requests are in infrastructure improvements and renovations. j. HR Future Positions – 5 positions were requested to be replaced and 1 new position, which were all approved. Dr. Stout had informed the Committee that he is in discussion with Dr. Reed about the justification to replace 3 Faculty positions due to retirements and is also working with VP Manfreda on the financial implications. k. HR – There are 26 recommended hires this month with the majority of them being adjuncts. l. Revenue – VP Kaari reviewed the recommendation to approve the acceptance of the Integrated Adult Basic Skills, English Literacy & Civics Education Grant. She also 		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>reviewed the grant application to the Monmouth County Charity Fund which will support career development in mental health services for Brookdale students. A budget modification to the NJ Department of Education was reviewed. The FY22 Grant Revenue report and Foundation Statement of Activities were reviewed.</p> <p>B. Audit Committee – February 17, 2022 – Trustee Rambaud reported on the Audit Committee held on February 17. She highlighted the following:</p> <ul style="list-style-type: none"> a. Office of the State Comptroller Audit – The audit is complete, and the College has received a report this month. The College has responded to the report and will take corrective action where needed. b. Division of Pensions & Benefits Audit – The audit is complete and there is nothing to report at this time. c. Internal Audit – An update on the Internal Audit was provided. d. The College Financial Audit – The expectation is to approve the financial audit upon its completion, which is expected next month. The College has an extension to file by June 30. e. Standard Operating Procedure Manual – The Manual is being updated and will be brought forward for approval next month. f. Ethics Hotline Report – Dr. Stout provided a report on recent ethics hotline issues. <p>C. Student Success & Educational Excellence Committee – February 16, 2022 – Trustee Abby-White reported on the meeting held on February 16 and highlighted the following:</p> <ul style="list-style-type: none"> a. Town Halls – Dr. Stout gave an update on the Town Halls being held to provide input to the Strategic Plan 2025. In addition, the Committee has generated ideas as well, and they have been categorized into tactics that can be executed in 3 months, 6 months, or greater than a year. b. Chatbot – An update on Chatbot was presented and she requested them to present at a future Board meeting. c. ACCT Legislative Summitt – Trustee Horl provided an update at the committee meeting and will give a board brief tonight. d. Achieving the Dream – There was a discussion on joining Achieving the Dream which would give us a roadmap to help our students achieve their dream and provide coaching to the College. The Committee discussed the reinforcement of the adoption of OER and the implementation of a College Success First Year Seminar. <p>D. Foundation Update – Trustee Abby-White – no report.</p> <p>E. Student’s Perspective – Trustee Smith reported on his participation at the AACT Legislative Summitt. He conducted a student survey in the MLK Lounge and received 57 responses. His questions included if students were aware of the Board of Trustees, opinion on masking and COVID vaccination and testing mandates and opinion on their classes. He said 75% of responders had not heard of the Board of Trustees, 20 responses had no opinion on COVID mandates, 23 agreed with the mandates and 1 said that masking needs to be enforced more. He said that 5 students responded that everyone should be tested regardless of vaccination or those fully vaccinated should</p>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>not have to wear masks, and 9 disagreed with the COVID mandates. The question on their courses, revealed that 11 had no opinion, 30 expressed they are enjoying their classes, and 16 expressed concerns about Faculty use of Canvas, the need for improved office hours and Faculty responding in a timelier manner. Requests were made for feminine products to be available in the restrooms, a nurse's office on campus, faculty responding in a timely matter, testing hours in the testing center to reflect the library hours, and a better Starbucks on campus. Trustee Smith reported that the E-sports Arena is finalizing plans for the installation and renovation of the arena, and they expect to open in the fall 2022 semester.</p> <p>F. ACCT National Legislative Summit – Trustee Horl attended the Legislative Summit with Chair Cram, Dr. Stout, Trustee Smith and Cynthia Gruskos. We were members of a New Jersey delegation of about 40 Community College Trustees who gathered to learn about federal legislative issues, here from the Biden Administration and lobby our own NJ representatives and Senators about federal legislative priorities and advise them about the important issues at Brookdale. The conference opened with First Lady Jill Biden who spoke about her experiences teaching at a community college and the needs of her students, the challenges they face and how community college education degrees and workforce development credentials transform lives. Her message also included that the Collee Promise Act is not dead. We heard Michael Cardona, Secretary of Education, and he spoke about the importance of equity at all levels of education. In addition, Martin Walsh, Secretary of Labor, spoke about his lifelong commitment to fairness and equity and the importance of creating a healthy and robust economy that provides opportunities for all. We met with aids to Representative Chris Smith and Frank Pallone and Senators Menendez and Booker. In addition, we had a breakfast meeting with Senator Norcross. Trustee Horl provided details on the federal priorities we advocated for our college and students. Trustee Smith also shared his personal Brookdale story. All legislative visits were conducted via Zoom this year.</p> <p>G. NJCCC Update - Trustee Horl attended 2 meetings for the Trustee Training Force and a monthly State and Federal Policy Committee this month. The Trustee Training Force selected ACCT to develop a customized training for appointed board members in NJ, which will promote effective governance, clarify roles and responsibilities of Trustees, the Administration and the President. It will also cover Trustee's fiduciary responsibilities, conflicts of interests, advocacy roles, open public meeting laws and training on ethics. The training will be offered twice a year with a possible virtual opportunity.</p>		
<p>Public Comment on Agenda Items –</p> <p>Ms. Gruskos confirmed no written public comments were submitted.</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>		

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	A motion to adopt the consent agenda was made by Trustee Richens and seconded by Trustee Watson. Motion passed.	
Approval of Public Business Meeting Minutes A. Approval of Public Business Meeting Minutes – January 25, 2022	A motion to approve the minutes from the public business meeting held on January 25, 2022 was made by Trustee Watson and seconded by Trustee Abby-White. Motion passed.	
Consent Agenda A. Approval of Human Resources B. Acceptance of Grants C. Application for Grants D. Approval of Budget Modifications - Perkins 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	A motion to approve the consent agenda was made by Trustee Richens and seconded by Trustee Smith. Motion passed. YES: Trustees Abby-White, Brennan, Crupi, Davis, Horl, Kaufmann, Rambaud, Richens, Smith, Watson and Chair Cram NO: None ABSTENTIONS: None	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
<p>G. Monthly Financial Reports</p> <p>H. Capital Project Update</p>		
<p>Change Order Request</p>	<p>A motion to approve by resolution the change order request was made by Trustee Richens and seconded by Trustee Brennan.</p> <p>Motion passed.</p> <p>YES: Trustees Abby-White, Brennan, Crupi, Davis, Horl, Kaufmann, Rambaud, Richens, Smith, Watson and Chair Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
<p>Approval of FY23 Capital Budget</p> <p>Dr. Stout expressed our appreciation to the County for their support of Chapter 12 funding.</p>	<p>A motion to approve the FY23 capital budget was made by Vice-Chair Kaufmann and Trustee Watson.</p> <p>Motion passed.</p> <p>YES: Trustees Abby-White, Brennan, Crupi, Davis, Horl, Kaufmann, Rambaud, Richens, Smith, Watson and Chair Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Approval of FY23 Chapter 12 Projects	<p>A motion to approve FY23 Chapter 12 projects was made by Trustee Horl and seconded by Trustee Davis.</p> <p>Motion passed.</p> <p>YES: Trustees Abby-White, Brennan, Crupi, Davis, Horl, Kaufmann, Rambaud, Richens, Smith, Watson and Chair Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
Approval of Revised of Policies <p>A. Policy 1.3021 Trustee Authority, Appointments and General Powers of the Board (previously titled Trustee Appointments)</p> <p>B. Policy 5.0003 Institutional and Specialized Program Accreditation, Approval, or Certification (previously titled Institutional and Specialized Program Accreditation)</p>	<p>A motion to approve revised Policy 1.3021 Trustee Authority, Appointments and General Powers of the Board (previously titled Trustee Appointments) and revised Policy 5.0003 Institutional and Specialized Program Accreditation, Approval, or Certification (previously titled Institutional and Specialized Program Accreditation) was made by Trustee Smith and seconded by Trustee Abby-White.</p> <p>Motion passed.</p> <p>YES: Trustees Abby-White, Brennan, Crupi, Davis, Horl, Kaufmann, Rambaud, Richens, Smith, Watson and Chair Cram</p>	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
	NO: None ABSTENTIONS: None	
Public Comment Isabel Shaw – Brookdale student, Vice-President of The Innovation Network (TIN) and a staff writer for the Current – she commented that TIN has recently joined forces with the Women in Learning and Leadership and PTK to provide menstrual products for female students on campus. The female students face challenges if they need menstrual products on campus and sometimes are forced to leave campus to find these items. She is currently writing an article for the <i>Current</i> and is questioning why there are no menstrual products accessible to female students and staff in the first place and how is this oversight continued. Dr. Stout invited Isabel to send him an email or give a call to the office to further discuss how to remedy the situation. Vincent Lepore – resident of Long Branch NJ – commented on regulation 3.9008R Code of Ethics for Employees, B:8 - <i>No employee shall knowingly act in any way that might reasonably be expected to create, among the public having knowledge of their acts, an impression or suspicion that they may be engaged in conduct violating their trust as public officers or employees.</i> He was seeking clarification if this statement applies to employees' conduct outside of the College. Dr. Stout commented that we have an Ethics Hotline and if you believe an employee is exhibiting unethical behavior that you can file a report and it will be investigated.		
Old/New Business - No old or new business was discussed.		
Resolution to Hold a Closed Meeting College Counsel read the Resolution to hold a closed meeting (Attachment A)	A motion was made to approve by resolution to hold a closed session by Trustee Smith and seconded by Watson. 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 Brennan. Motion passed.	

Topic and Discussion	Votes Taken	Action and Follow-up Actions
Solar Energy Project Agreements	<p>A motion to approve by resolution the lease agreement with Luminance and all other agreements associated with the solar power project was made by Trustee Richens and seconded by Trustee Abby-White.</p> <p>Motion passed.</p> <p>YES: Trustees Abby-White, Brennan, Davis, Horl, Kaufmann, Richens, Smith, Watson and Chair Cram</p> <p>NO: None</p> <p>ABSTENTIONS: None</p>	
Adjournment Meeting adjourned at 8:10 PM	<p>A motion to adjourn the meeting was made by Trustee Richens 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 **February 22, 2022 at approximately 7:10 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: February 22, 2022

☐ "(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 negotiations for the Solar Project and matters falling within the attorney client privilege regarding issues with the Mask Mandate Policy and, holding hybrid Board meetings.**

☐ "(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: February 22, 2022