



BOARD OF TRUSTEES

AGENDA

March 26, 2012

12:30 p.m.

- I. CALL TO ORDER
- II. ANNOUNCEMENT OF PUBLIC MEETING
- III. ROLL CALL
- IV. RECOMMEND APPROVAL OF MINUTES OF THE MARCH 5 AND 9, 2012, BOARD OF TRUSTEES PUBLIC AND CLOSED SESSION MEETINGS *Bd. Action*
- V. COMMENDATIONS

VI. COMMITTEES

- A. **Finance Committee (Mr. Dasti, Chairperson)**
(Ms. Winchester, Vice President of Finance and Administration)
1. Recommend approval of business/finance actions as presented (Exhibit A) **Bd. Action**
- B. **Bylaw, Policy, and Curriculum Committee (Mr. Monahan, Chairperson)**
(Mr. Strada, Executive Vice President, Instructional)
1. Recommend approval of bylaw, policy, and curriculum actions as presented (Exhibit B) **Bd. Action**
- C. **Buildings and Grounds Committee (Mrs. Novak, Chairperson)**
(Dr. McGinty, Executive Vice President, Operational)
1. Recommend approval of buildings and grounds items as presented (Exhibit C) **Bd. Action**
- D. **Personnel Committee (Mr. Leone, Chairperson)**
(Ms. Winchester, Vice President of Finance and Administration)
1. Recommend approval of personnel actions as presented **Bd. Action**
- E. **Litigation Committee (Mr. Leone, Chairperson)**
1. Recommend approval of the litigation report **Bd. Action**

VII. PRESIDENT'S REPORT

VIII. MISCELLANEOUS

- A. *Recommend adoption of a resolution providing for closed meetings to be held on Monday, April 23, 2012, at 11:00 a.m. for the purpose of discussing personnel action, collective bargaining, and pending and anticipated litigation, the results of which will be released to the public when the need for confidentiality no longer exists* *Bd. Action*
- B. *Next meetings of the Board of Trustees on*

MONDAY, APRIL 23, 2012

- | | | |
|-----------------------------------------------------------|----------|-------------------------------------------------------------------------|
| 1. Finance Committee | Time: | 10:00 a.m. |
| | Place: | Business Conference Room |
| 2. Bylaw, Policy, and Curriculum Committee
(as needed) | Time: | 10:00 a.m. |
| | Place: | Academic Affairs Office |
| 3. Buildings and Grounds Committee | Time: | 10:30 a.m. |
| | Place: | Business Conference Room |
| 4. Personnel Committee | Time: | 10:30 a.m. |
| | Place: | President's Office |
| 5. Entire Board | Time: | 11:00 a.m. |
| | Place: | Boardroom |
| | Purpose: | Caucus Meeting—Personnel, Pending Litigation, and Collective Bargaining |
| 6. Entire Board | Time: | 12:30 p.m. |
| | Place: | Boardroom |
| | Purpose: | Regular Public Monthly Meeting |

IX. Adjournment

This agenda includes all items that are known at this time.



BOARD OF TRUSTEES

Regular Meeting

Minutes

March 5, 2012

The regularly scheduled monthly meeting of the Ocean County College Board of Trustees was called to order on Monday, March 5, 2012, by Mr. Carl V. Thulin, Chair, at 12:35 p.m. in the Boardroom of the Administration Building on the college campus.

Call to Order

The announcement of public meeting was made by Mrs. Connie Bello in compliance with the Open Public Meetings Act of 1975.

Public Meeting
Announcement

Those in attendance were: Mr. Carl V. Thulin, Mrs. Linda Novak, Mr. Jerry Dasti, Mr. Stephan Leone, Mr. Frank Dupignac, Mr. Thomas Monahan, Mrs. Joanne Pehlivanian, Dr. Wilda Smithers, Mr. Harvey York, Mr. Jack Sahradnik, Dr. Jon Larson, Executive Vice Presidents Jim McGinty and Richard Strada, and Vice Presidents Don Doran, Tara Kelly, and Sara Winchester.

Attendance

The minutes of the January 30, 2012, Board of Trustees closed session and public meetings were approved by majority vote, with Mrs. Novak and Mrs. Pehlivanian abstaining from the vote.

Minutes
Approved

Commendations

Ms. Ilene Cohen, Director of Athletics, once again introduced Ms. Elizabeth Lawler and Mr. JaMario Clayton, both of whom were honored as Players of the Year and who were named to the Region XIX All-Region First Team by the National Junior College Athletic Association. Both Elizabeth and JaMario scored 1,000 points this basketball season, a major accomplishment for any athlete, and JaMario reached 1,000 points last year also. Ms. Cohen has not been able to identify any other college at which both the male and female Players of the Year were honored in the same year. Dr. Larson and the Board extended their heartiest congratulations to Elizabeth and JaMario and wished them well as they continue their education and athletic endeavors at four-year colleges.

Commendations

Litigation Committee

Mr. Leone reported that the Litigation Committee members authorized him, as Chair of the Committee, to speak on their behalf after closely examining the statements made

by Mr. Chris Berzinski and Ms. Kathy Tietge at a recent press conference. Mr. Leone stated that the Board, the President, Ms. Winchester, and other administrative personnel named at the press conference by Mr. Berzinski and Ms. Tietge stand together on this issue. The unfounded comments made against the Board, the President, and administrative personnel of unethical and illegal behavior are unacceptable and irresponsible. This type of character assassination will not be tolerated. The Board will not be intimidated by their remarks, actions, or demands.

The members of the Board of Trustees volunteer their time to serve the College without compensation, and they take their responsibilities very seriously. To that end, Mr. Leone introduced, recommended the adoption of, and read the following resolution:

WHEREAS, the Ocean County College Board of Trustees vigorously disputes the outrageous defamatory allegations recently made by Faculty Association representatives Chris Berzinski and Kathy Tietge accusing the Board of Trustees, the College, its President, and Administrators of intentional wrongdoing and illegal activity pertaining to the issuance and award of College contracts; and

WHEREAS, it has come to the attention of the Ocean County College Board of Trustees that these statements, purportedly made on behalf of the Faculty Association, are based upon hearsay allegations contained in a lawsuit filed by a disgruntled former employee against the College; and

WHEREAS, the Ocean County College Board of Trustees will not tolerate these continued, baseless attacks on the credibility and reputation of the Board, the College, its President, and Administrators; and

WHEREAS, the Ocean County College Board of Trustees demands an immediate retraction of the defamatory remarks made by Chris Berzinski and Kathy Tietge, which are false and untrue, and which were misrepresented as being endorsed by members of the Faculty Association; and

WHEREAS, the Ocean County College Board of Trustees further demands an immediate apology from Chris Berzinski and Kathy Tietge to the Board of Trustees, the College, its President, and Administrators for their defamatory and slanderous remarks; and

WHEREAS, the Ocean County College Board of Trustees deems it necessary to protect and defend the reputation and integrity of the Board, the College, its President, and Administrators from the defamatory remarks made by the individuals identified above, as well as any other party;

NOW, THEREFORE, BE IT RESOLVED that the Ocean County College Board of Trustees, in the County of Ocean and the State of New Jersey, demands an immediate retraction of the defamatory statements made by Chris Berzinski and Kathy Tietge; and

Resolution
Adopted in
Response to
Allegations of
Illegal Activity
by the Board,
the President,
and the
Administration

BE IT FURTHER RESOLVED by the Ocean County College Board of Trustees that College Counsel is hereby authorized and directed to explore any and all legal and equitable remedies available to the Board of Trustees including the filing of litigation for actual and punitive damages against the individuals identified above for their defamatory remarks and their misrepresentations.

Mr. Dasti said that the complaint filed against the College by the former Purchasing employee has nothing to do with the current negotiations with the faculty; the former employee was not a faculty member. Therefore, Mr. Dasti questioned why Mr. Berzinski and Ms. Tietge would choose to use those unfounded allegations to discredit the College and make accusations of illegal behavior. He recalled an incident many years ago when, not coincidentally, faculty negotiations were ongoing and a former faculty union leader made offensive comments to the trustees. He expressed his full support of the resolution introduced by Mr. Leone.

Mrs. Novak is honored that she serves as a College trustee, and she stressed that all of the trustees are dedicated individuals who are committed to serving the College and its students. She is saddened that this action has to be taken by the Board; however, unfortunately, it is necessary to respond in this way because words are powerful and can do damage, especially when they are not true.

Mr. York, who has been a member of the Ocean County College Foundation for over 35 years, said he does not understand the change in civil discourse. People no longer talk to each other about issues; instead, they attack others. He said it is absurd for allegations of illegal behavior to be leveled against the Board, the President, and the administration. He believes the accusations cross the line and represent a failure of civility.

Lastly, Mr. Monahan said the accusations by Mr. Berzinski and Ms. Tietge were totally inappropriate and amount to character assassination because they are baseless. All of the trustees do their very best at all times to serve the College.

The resolution was then adopted by unanimous roll call vote.

Finance Committee

- ◆ The statement of income and expenditures as of January 31, 2012, was accepted.
- ◆ Resolutions were adopted to award the following contracts:
 - ◆ A maximum of \$56,250 to Fuel Cell Energy, Inc., Danbury, Connecticut, for the renewal of a Fuel Cell maintenance service agreement for 2011-2012.
 - ◆ A maximum of \$20,973.06 to A-1 Limousine, Inc., Princeton, New Jersey, for additional bus trips offered by Ocean County College through the Student Life Department during 2011-2012.

Income/
Expenditures
Accepted

Resolutions
Adopted for
Contract
Awards

♦ The following contracts were amended:

Contracts
Amended

- ♦ An additional \$5,500, for a maximum total of \$125,750, to Assessment Technologies Institute, Overland Park, Kansas, for additional tests for the Ocean County College Nursing Department (contract originally awarded at the May 23, 2011, Board meeting).
- ♦ An additional \$16,500, for a maximum total of \$1,067,740, to Blackney Hayes Architects, Philadelphia, Pennsylvania, for schematic design services for the upper mall landscaping and upgrades associated with the Gateway Building and future upper mall expansion (contract originally awarded at the July 27, 2009, Board meeting).
- ♦ An additional \$8,594, for a maximum of \$5,644,474, to Santorini Construction Company, Neptune, New Jersey, for change orders for cable trays and conductors, excavation and cooling tower basin filter, and supports to protect piping as part of the construction of the Combined Heat and Power Plant (contract originally awarded at the March 28, 2011, Board meeting).

♦ The following proposals were rejected:

- ♦ The two bids received on January 5, 2012, for the purchase of a Pedia Sim ECS-Base Unit and accessories because the low bid vendor did not meet specifications and the second vendor was noncompliant with submitted forms.
- ♦ The three proposals received in response to the College's Request for Qualifications for Enrollment Management Services because the proposals did not meet the needs of the College.

Bylaw, Policy, and Curriculum Committee

Upon unanimous roll call vote, the following Committee recommendations were approved by the Board:

♦ The following items, as accepted by the College Senate at its meeting on December 7, 2011, were approved:

College
Senate Items
Approved

♦ Revised courses

- ♦ EDUC 175, Introduction to Teaching
- ♦ HIST 174, U.S. History II

♦ The following policy was revised:

- ♦ Policy #4220, Business, Expenditures, Authority to Purchase

Policy #4220,
Authority to
Purchase,
Revised

◆ The following policies were rescinded:

- ◆ Policy #4230, Business, Expenditures, Bids
- ◆ Policy #4260, Business, Expenditures, Goods and Services, General

Policies #4230,
Bids, and #4260,
Goods and
Services,
Rescinded

Buildings and Grounds Committee

An update was provided by Dr. McGinty on several facilities projects. The Gateway Building construction continues to be on time and on budget. The Buildings and Grounds Committee will tour the building after next month's Board meeting.

The installation of the Combined Heat and Power Plant is going well. Testing will begin in April. Connections to the various buildings will be deferred until classes are not in session. Bid proposals for the Gateway Building landscaping are due mid-March.

A kick-off meeting is scheduled this week for the Mill Creek Sailing Center, and the Facilities Master Plan is currently being updated.

Upon unanimous roll call vote, the Facilities Engineering and Operations Status Report for January 31, 2012, was accepted.

Facilities
Engineering
Report Accepted

Personnel Committee

The Personnel Report was approved as recommended upon unanimous roll call vote.

Personnel Report
Approved

President's Report

The Governor's FY 2013 budget includes a slight increase in financial assistance to students. Of significant interest is the full funding of NJ STARS. NJ STARS funding currently has to move through the budget process, making it subject to the discretion of the Governor each year as the budget is developed. Dr. Larson said he and Mr. Dave Wolfe, Senior Assistant to the President and 10th District Assemblyman, devised a revision to the program whereby funding for NJ STARS will be legislated. The proposed legislation has the full support of the Governor, the Legislature, and all segments of New Jersey higher education. It is expected that the legislation will be approved on March 15, which will make the NJ STARS program a viable early option for high school students as decisions are made regarding higher education.

President's
Report

Mr. Doran explained a new Student Life initiative, a "Pay It Forward" student meal voucher program. Students who cannot afford to pay for food will receive a voucher for a nutritionally balanced meal in the cafeteria. In return, the student will be asked to perform a small act of kindness that will benefit the campus. Many of OCC's students are struggling financially, and this program will provide a little assistance to help them continue their education. A bake sale will be held on Thursday, March 8, in the College Center to launch the program.

Dr. Larson has been nominated by the Governor to serve as the County College Representative on the Board of the Higher Education Student Assistance Authority (HESAA). The nomination is subject to the advice and consent of the State Senate. Dr. Larson is honored to have been nominated by the Governor.

The Ocean County College Board of School Estimate meeting is scheduled for Wednesday, March 7, in the County Administration Building. Members include Freeholders John C. Bartlett, James F. Lacey, and Gerry P. Little and Board Chair Thulin and Treasurer Dasti. Mr. Leone serves as the Secretary of the Board of School Estimate.

Dr. Larson announced that Ms. Tara Kelly, Vice President of College Advancement, has accepted a job at Rutgers University. He congratulated her on her new position and expressed appreciation for her many years of service to OCC. Mr. Thulin and Mrs. Novak thanked Ms. Kelly for her work on behalf of the College and wished her well in her new endeavor.

The College website continues to be updated and improved by Ms. Maureen Conlon, Manager of Web Services, and other individuals in various departments. Ms. Kelly praised Ms. Conlon for the outstanding job she does in managing the website and asked others to highlight new sites and revised content, such as the online admissions application, Ocean County College E-Learning, Purchasing, Human Resources, the Theatre, and the Planetarium. All of these improvements are making the Ocean County College website more user friendly and are providing greater opportunities for the College and students to interact in a positive way.

The Ocean County College Second Annual Senior Living Expo is scheduled to take place on Thursday, March 15, from 10 a.m. to 2 p.m. in the Gymnasium. It is anticipated that 600 to 700 people will attend. The event is sponsored by Community Medical Center/ Barnabas Health, Harrogate, and New Jersey Natural Gas.

The next Board of Trustees Retreat is being held on Friday, March 9, at 12 noon in the Boardroom.

Miscellaneous

Upon unanimous roll call vote, a resolution was adopted to provide for a closed meeting to be held on Monday, March 26, 2012, at 11:00 a.m. for the purpose of discussing personnel action, collective bargaining, and pending and anticipated litigation.

Resolution
Adopted for
Closed Meeting-
March 26, 2012

The following meetings were scheduled:

Friday, March 9, 2012	12:00 noon	Board Retreat	
Monday, March 26, 2012	10:00 a.m.	Finance Committee	
	10:00 a.m.	Bylaw, Policy, and Curriculum Committee (As Needed)	Meetings Scheduled

10:30 a.m.	Buildings and Grounds Committee
10:30 a.m.	Personnel Committee
11:00 a.m.	Closed Session
12:30 p.m.	Regular Monthly Meeting

There being no further business to conduct and no further comments from the Board members or the public, the meeting adjourned at 1:25 p.m.

Adjournment

Respectfully submitted,

Stephan R. Leone
Secretary

Connie Bello
Recording Secretary



BOARD OF TRUSTEES

Public Retreat/Meeting

March 9, 2012

Minutes

A retreat/meeting of the Ocean County College Board of Trustees was called to order by Mr. Carl V. Thulin, Chair, at 12:15 p.m., on Friday, March 9, 2012, in the Boardroom of the Administration Building on the college campus.

Call to Order

The announcement of public meeting was made in compliance with the Open Public Meetings Act of 1975.

Public Meeting
Announcement

Those in attendance were: Mr. Carl V. Thulin, Mrs. Linda Novak, Mr. Jerry Dasti, Mr. Stephan Leone, Mrs. Joanne Pehlivanian, Mr. Jack Sahradnik, and Dr. Jon Larson. Also in attendance were Executive Vice Presidents Jim McGinty and Richard Strada; Ms. Sara Winchester, Vice President of Finance and Administration; Ms. Janet Hubbs, Assistant to the President for Institutional Quality; Mr. Robert Kumpf, Director of Security; and Mr. Leslie Cohen, Assistant Vice President for Human Resources.

Attendance

Items discussed:

- ◆ Self-Study Process – Ms. Janet Hubbs, Assistant to the President for Institutional Quality and Co-Chair of the Middle States Self-Study Committee, provided the trustees with background information on the Middle States Commission on Higher Education (MSCHE), its purpose, and the self-study process. The objective of the self-study is to assess and strengthen the institution. OCC's 2014 Self-Study will be a selected topics document.

Middle States
Self-Study
Update

Dr. Ellie Fogarty, MSCHE's liaison to Ocean County College, visited the campus on January 23 and met with the President, a few trustees, the Self-Study Steering Committee, team leaders, faculty, staff, and students. At the end of her visit, she was most complimentary of the preliminary document. She provided valuable insight and several recommendations for improvement. The preliminary proposal is due in April.

Ms. Hubbs provided an update on the Board's Self-Assessment and the recommendations of the Bylaw, Policy, and Curriculum Committee, one of which pertained to identifying methods to better communicate with the college community about the

Board Self-
Assessment

role of the trustee. It is important for the Board to be visible through periodic, interactive contact with the public. The Bylaw, Policy, and Curriculum Committee should develop recommendations for the full Board's consideration.

- ◆ Board of Trustees Bylaw Review – A periodic review should be undertaken by the trustees on the #1000 series policies, the Bylaws of the Board of Trustees. Bylaw Review
- ◆ Vice President of Academic Affairs, Dean of Adjunct Faculty – After a slight shift in responsibilities, the search for a Vice President of Academic Affairs has been re-opened. Also being advertised is the Dean of Adjunct Faculty, a new position that reflects the need for additional interaction with the increasing number of OCC adjunct faculty. Position Searches

At 12:45 p.m., a resolution was adopted to move into a closed session for the purpose of discussing personnel matters, collective bargaining, and pending litigation, the results of which will be released to the public when the need for confidentiality no longer exists.

Resolution
Adopted for
Closed Session

At 1:30 p.m., the closed session ended and the public meeting reconvened.

Public Meeting
Reconvened

Personnel Committee

Upon two unanimous roll call votes, the Board approved the Personnel Report as submitted.

Personnel
Report
Approved

Miscellaneous

The next meetings of the Board are scheduled for:

Monday, March 26, 2012	10:00 a.m.	Finance Committee
	10:00 a.m.	Bylaw, Policy, and
	(as needed)	Curriculum Committee
	10:30 a.m.	Buildings and Grounds Committee
	10:30 a.m.	Personnel Committee
	12:30 p.m.	Regular Public Monthly Meeting

With no further business or comments from the trustees or the public, the meeting adjourned at 1:35 p.m.

Adjournment

Respectfully submitted,

Stephan R. Leone
Secretary

Connie Bello
Recording Secretary