

I. CALL TO ORDER REGULAR SESSION

On Tuesday, June 23, 2009, at 7:00 p.m. Vice Chairperson Elizabeth Dworsky called the meeting to order.

II. STATEMENT OF ADEQUATE NOTICE

In compliance with the "Open Public Meetings Act" of the state of New Jersey, adequate notice of this regular meeting of the Atlantic Cape Community College Board of Trustees was provided by e-mail for posting at "J" Building main campus; the Charles D. Worthington Atlantic City Campus, the Cape May County Campus and copies were e-mailed to the clerks of Atlantic and Cape May counties and the clerks of the Board of Chosen Freeholders of Atlantic and Cape May counties on June 11, 2009.

III. FLAG SALUTE

Vice Chairperson Dworsky asked everyone to rise and salute the flag. Everyone rose, saluted the flag and recited the Pledge of Allegiance.

IV. ROLL CALL

Board Members

Terrence J. Crowley  
Dr. Elizabeth A. Dworsky  
David A. Evans  
Brian G. Lefke  
Andrew W. Melchiorre  
Donald J. Parker  
Eric Reynolds  
Helen W. Walsh

College Personnel

Dr. Peter Mora  
Kathy Corbalis  
Dr. Patricia Gentile  
Douglas Hedges  
Dr. Richard Perniciaro  
Carmen Royal  
Terry Sampson  
Cathie Skinner, CPA  
Dr. Art Wexler  
Brittany Williams  
BettyAnn Inloes Hines  
Louis J. Greco, Esquire

Others in Attendance

Jane Lugo, Atlantic Co. Treasurer & CFO

V. CALL TO ORDER EXECUTIVE SESSION

Vice Chairperson Dworsky stated there was no need for an executive session, and the regular session would begin now.

VI. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS

Vice Chairperson Dworsky asked if there were any comments from the public on agenda items.

VII. BUDGET REPORT

Mr. Evans presented the Financial Report Executive Summary for the eleven months ended May 31, 2009, **Res. #90**, stating there were no significant changes from the prior month. This report

includes summer, fall and spring tuition and fee revenues. Unaudited enrollments for the fiscal year are 2.3% higher than expected which can be attributed primarily to the spring semester. More on-line enrollments than budgeted also contribute to the positive tuition revenue margin. Lower culinary enrollments are reflected in fee revenue below budget. The net effect on tuition and fee revenues is positive and offsets other revenue shortfalls. The college is receiving approximately 2.5% (\$156,000) less in state appropriations than originally budgeted. Our original budget estimated a state cut of 6.4%, while the actual cut is approximately 8.6% compared to the prior year actual appropriation. Investment income is expected to come in below budget by an estimated \$210,000 as interest rates continue to fall. It appears from the financial data at this date that the college's total revenue budget is within \$100,000 of projected.

On the expense side, actual salaries and benefits are approximately \$500,000 less than budgeted year to date primarily due to health benefits charged at a lower rate than the estimate that was budgeted and open positions (particularly in credit instruction and custodial) and grant allocations. Some of these funds are being reallocated to adjunct costs due to higher enrollments in the spring. These savings may be impacted by year end adjustments such as the allowance for doubtful accounts and state unemployment fund reserve.

Based on current data, management expects the college will attain a positive margin projected in the range of \$500,000

#### VIII. RESOLUTIONS

##### A. Regular Resolutions

Mr. Evans moved and Mr. Crowley seconded the acceptance of the Financial Report Executive Summary for May 31, 2009, **Res. #90**.

ROLL CALL: AYES, NO NAYS

Vice Chairperson Dworsky made a **motion to accept** the *Annual Budget Message 7/1/09 to 6/30/10*. She stated that the Budget, Finance and Audit Committee met earlier and was pleased with the document.

Mr. Reynolds seconded the motion.

ROLL CALL: AYES, NO NAYS

Dr. Dworsky read **Res. #91A** and moved and Mr. Crowley seconded the following:

WHEREAS, under New Jersey Community College Contract Law a formal agreement for professional legal services may be negotiated or awarded without public advertising for bids, and

WHEREAS, ACCC has determined and certified, in writing, that the value of this acquisition will exceed \$17,500, and

WHEREAS, in addition to advising the Board and administration on local, state and federal regulatory requirements, Mr. Greco has served the trustees and college community effectively as an educator, mediator, spokesperson and contract administrator, and

WHEREAS, his expertise has guided the institution through legal matters and minimized financial exposure when action was taken against the college, and

WHEREAS, an assessment of Mr. Greco's performance has yielded an "excellent" performance rating (see attached), and

WHEREAS, Atlantic Cape Community College has completed and submitted a Business Entity Disclosure Certification which indicates that Mr. Greco has not made any reportable contributions to a political committee or candidate in Atlantic or Cape May counties during the previous year, and that the 2009-2010 legal services contract prohibits Mr. Greco from making reportable contributions.

WHEREAS, the term of this contract is one year, effective July 1, 2009 and ending June 30, 2010, and

THEREFORE BE IT RESOLVED that the Board authorizes a one-year legal services contract with Louis J. Greco, Esq., and that Mr. Greco receive a 4 percent annual retainer increase from \$40,058 to \$41,660 and a 4 percent hourly rate increase for litigation and off-campus hearings from \$117.09 to \$121.77, each effective July 1, 2009.

ROLL CALL: AYES, NO NAYS

Vice Chairperson Dworsky thanked Counsel Greco for his service to the college.

Vice Chairperson Dworsky stated that Res. #97 and Res. #98 were new to the agenda.

Dean Gentile noted that when funds become available from the government, the college submits applications for these funds as soon as possible.

Vice Chairperson Dworsky read **Res. #97** and moved and Mr. Lefke seconded the following:

WHEREAS, the New Jersey Department of Labor and Workforce Development (DOLWD) is soliciting applications to fund incumbent worker training, and

WHEREAS, the DOL funds training for incumbent workers in Technology, ESL, Workplace Communications, and

WHEREAS, ACCC will partner with casinos to deliver training to their employees (see attached), and

WHEREAS, the amount of the proposed contract is \$ 247,700 for 2009/2010 from September 1, 2009 through August 31, 2010.

THEREFORE BE IT RESOLVED that the Board of Trustees of Atlantic Cape Community College hereby grants approval to apply for a Customized Training Contract with the New Jersey Department of Labor and Workforce Development from September 1, 2009, through August 31, 2010, for \$247,700.

ROLL CALL: AYES, ABTENTIONS, NO NAYS (Messrs. Crowley, Parker, and Reynolds abstained)

Dr. Gentle gave detailed information on the short-term college preparation component within the Summer Youth Program where we will be providing a 7 to 8 hour program about enrolling and going to college.

Mr. Reynolds said this is a great program we are offering to the youth because many of them are first generation college students.

Mr. Melchiorre said, "The high school counselors have said this is what the high school graduates need help with. They need someone to sit down with them. This is a very good thing for the students."

Dr. Dworsky read **Res. #98** and moved and Mr. Evans seconded the following:

WHEREAS, the Government of the County of Atlantic is seeking to operate an accelerated short term college preparation component within the Summer Youth Program in Atlantic and Cape May counties, and

WHEREAS, the college is proposing to service approximately 500 youths in Atlantic County and 200 youths in Cape May County who are low-income between the ages of 16 and 24, and

WHEREAS, the maximum amount of the grant is \$80,000 from July 15, 2009 through September 30, 2009, and

WHEREAS, the amount of the proposed grant is \$80,000 from July 15, 2009 through September 30, 2009.

THEREFORE BE IT RESOLVED that the Board of Trustees of Atlantic Cape Community College hereby grants approval to apply for and accept funding from the American Recovery and Reinvestment Act/WIA from July 15, 2009 through September 30, 2009, in the amount of \$80,000.

ROLL CALL: AYES, NO NAYS

B. Consent Resolutions

Vice-Chairperson Dworsky asked Secretary Hines to read the consent agenda resolutions.

Secretary Hines read the resolutions on the consent agenda as follows: **Res. #89, Res. #91, Res. #92, Res. #92A, Res. #93, Res. #94, Res. #95, Res. #96, and Res. #99.**

Vice Chairperson Dworsky asked if there were any consent agenda resolutions to be pulled for further discussion. She stated if there were no objections, the resolutions on the consent agenda would be adopted.

Mr. Crowley moved and Mr. Evans seconded the following:

**Res. #89**

Regular Session Minutes for May 26, 2009

**Res. #91**

Upon the recommendation of the President:

Appointments

**Kristen Fletcher**, Senior Manager, Admissions, at an annual salary of \$48,844, effective July 6, 2009.

**Otto Hernandez**, Associate Dean of Geographic Information Systems and Technology Studies Institute, at an annual salary of \$102,132, effective July 1, 2009.

**Esther James**, Senior Manager, Grants and Resource Development, at an annual salary of \$48,844, effective July 20, 2009.

**Rahshana Murphy**, Specialist, Student Development, at an annual salary of \$32,352, effective June 30, 2009.

Resignations

**Sara Turner**, Health Specialist, Human Resources, effective June 15, 2009

**Res. #92**

It is respectfully recommended that the Board of Trustees approve the following:

Bid 1710	Science Supplies & Equipment , (FY10 Operational)	\$31,092.52
	Para Scientific	\$11,082.44
	Fairless Hills, PA	
	Macalaster Bicknell	3,693.04
	Millville, NJ	
	Wards Natural Science	<u>16,317.04</u>
	Rochester, NY	
Bid 1711	Central Storeroom Supplies, (FY10 Operational/Department Backcharges)	\$52,813.77
	Office Basics	\$41,718.75
	Boothwyn, PA	
	Quill	<u>11,095.02</u>
	Lincolnshire, IL	
Bid 1712	Paper & Envelopes, 6 months, ((FY10 Central Stores/Print Shop Operational/Department Backcharge)	\$22,379.29
	Office Basics	\$ 2,280.00
	Boothwyn, PA	
	Paper Mart	<u>20,099.29</u>
	East Hanover, NJ	
Bid 1713	Custodial Supplies, (FY10 Facilities Management Operational)	\$90,584.41
	All American Poly	\$ 6,054.00
	Piscataway, NJ	
	Hillyard, Inc.	1,296.98
	West Hampton, NJ	
	City Supply	10,647.10
	Egg Harbor Township, NJ	
	Amsam	<u>72,585.83</u>
	Winslow, NJ	
Bid 1714	Academy of Culinary Arts Supplies, (FY10 Operational)	\$35,235.88
	Edward Don & Co.	\$ 9,397.02
	Marlton, NJ	
	City Supply	<u>25,838.86</u>
	Egg Harbor Township, NJ	
Open Quote 60	Media Buying Services	\$85,000.00
	(FY10 College Relations/ACA Operational, \$70,000)	(not to
	(FY10 Continuing Education, \$15,000.00)	exceed)
	The Marathon Group	
	Mt. Laurel, NJ	

Open Quote 61	Cleaning Services (Institute for Service Excellence and East Campus). (FY10 Facilities Operational) Bravo Group Services Piscataway, NJ	\$25,500.00
Open Quote 62	Toner Cartridges, (FY10 Operational/Department Backcharges) Supply Saver Neptune, NJ	\$27,530.80

**Res. #93**

WHEREAS, Atlantic Cape Community College is committed to providing a safe environment for all stakeholders, and

WHEREAS, the New Jersey Attorney General's Office has adopted an aggressive multi-pronged approach to assuring the online safety of students and educators through raising awareness of threatening cyber behavior, developing proactive policy to address such behavior and enforcing relevant student codes of conduct (see attached) and

WHEREAS, Atlantic Cape Community College seeks to comply with such safety recommendations from the state.

THEREFORE BE IT RESOLVED, upon the recommendation of the President, that the Board of Trustees adopt Policy No. 216: Cyber Harassment.

**Res. #94**

WHEREAS, the College has adopted a resolution dated June 23, 1987, agreeing to become a participant in the New Jersey Community College Insurance Pool, and

WHEREAS, the College agreed to participate as a member of the Pool and contribute such sums and pay such assessments into the Pool that are required for the administration costs and claims for Worker's Compensation coverage (see attached), and

WHEREAS, said assessment for FY 2009-2010 is \$164,273.00, and

WHEREAS, Pay to Play requirements do not apply to this contract.

THEREFORE BE IT RESOLVED that the College remit the assessment of \$164,273.00 to the New Jersey Community College Insurance Pool for the New Jersey Community College Insurance Pool Worker's Compensation Fund.

**Res. #95**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
Insurance – Multi Peril/Commercial, Data Security Liability, Umbrella, E & O,  
Environmental and Excess**

WHEREAS, under New Jersey Community College Contract Law a Contract for Insurance may be negotiated or awarded without public advertising for bids, and

WHEREAS, the Purchasing Office has determined and certified in writing that the value of the acquisition will exceed \$17,500, and

WHEREAS, the prices documented represent the contract for Fiscal Year 10 for all insurance coverages with extended commitment to Philadelphia Insurance for an additional two years based on a three-year rate guarantee agreement (see attachments), and

WHEREAS, Borden Perlman has submitted a proposal to the NJ Community College Insurance Pool dated May 31, 2007, indicated they will provide coverage at the following premiums:

Multi Peril/Commercial**	\$157,656.00
Data Security Liability	10,280.00
Umbrella**	7,595.00
E & O	44,257.00
Environmental	11,542.00
Excess	12,082.00
NJ Surcharges (included in above)	
TOTAL	<u>\$245,341.00</u>

\*\*Philadelphia Indemnity Insurance Commitment for rate guarantee for three year commitment

and

WHEREAS, the College’s Insurance Consultant, William Kurtz, has reviewed and recommended the proposal, and

WHEREAS, Borden Perlman has completed and submitted a Business Entity Disclosure Certification which certifies that Borden Perlman has not made any reportable contributions to a political or candidate committee in Atlantic County or Cape May County in the previous one year, and that the contract will prohibit Borden Perlman from making any reportable contributions through the term of the contract.

NOW THEREFORE BE IT RESOLVED that the Board of Trustees of Atlantic Cape Community College authorizes a contract with Borden Perlman as described herein.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**Res. #96**

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
Student Insurance  
Accident Health and Catastrophic for Sports

WHEREAS, under New Jersey Community College Contract Law a contract for Insurance may be negotiated or awarded without public advertising for bids; and

WHEREAS, the Purchasing Office has determined and certified in writing that the value of the acquisition will exceed the Pay to Play requirements of \$17,500, and

WHEREAS, T. L. Groseclose Associates has submitted a proposal indicating they will provide Student Insurance per the attached schedule, and

WHEREAS, T.L. Groseclose Associates have completed and submitted a Business Entity Disclosure Certification which certifies that T.L. Groseclose Associates has not made any reportable contributions to a political or candidate committee in Atlantic County or Cape May County in the previous one year and that the contract will prohibit T.L. Groseclose Associates from making any reportable contributions through the term of the contract.

THEREFORE BE IT RESOLVED that the Board of Trustees of Atlantic Cape Community College authorizes a contract with T.L. Groseclose Associates, as described herein.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

**Res. #99**

RESOLVED: At a public meeting of the Board of Trustees to be held on July 28, 2009, that pursuant to Section 7 and 8 of the “Open Public Meetings Act,” the following subject(s) may be discussed in an executive session of the Board of Trusts closed to the public:

## personnel and litigation

It is presently anticipated that the items mentioned in this resolution can be disclosed to the public within three months.

ROLL CALL: AYES, NO NAYS

IX. PRESIDENT'S REPORT: Dr. Mora's report contained information on the following items: Major Projects for FY'10, Atlantic City Rotary Scholarship Luncheon, Board and staff achievements, additions to ACCC's Trustee Resource Center and the Board activity calendar.

- Dr. Mora spoke of where we are as we begin the new fiscal year. He said that there have been a lot of challenges over the last four years, and we are still not over some of the critical ones. At this stage, we have made progress on some of the major issues such as linking the budget to planning and institutional outcomes. "This coming year we must attend to those major issues and put major goals into the pipeline," said Dr. Mora.
- Dr. Mora provided an overview of FY'10 projects including developing a Strategic Plan for 2010-2014, the submission to Middle States of the college's Institutional Effectiveness Plan in March, a process which started in 2005, and continued progress on initiatives in the Blueprint 2020 master plan. Other highlights included:
  - A study will begin this fall to determine how to expand the College's fine and performing arts programs. Dr. Mora has charged Dr. Wexler with looking at this over the next six months and providing a greater level of institutional and community linkage with the fine and performing arts area and then bringing it to the Board.
  - The capital formation process to support ACCC's Blueprint 2020 master plan will continue. We are currently working on establishing the cabinet members for the capital and scholarship campaign which will be made up of some members from the Board of Trustees, Foundation Board and prominent leaders from Atlantic and Cape May counties. This cabinet will raise funds and make a substantial contribution themselves. We are currently in the quiet phase.
  - Collective bargaining is expected to begin in the fall. The current four-year pact with the college's bargaining units ends June 30, 2010. The college team will be lead by Ms. Williams, Dean Cathie Skinner, and Dean Perniciaro with other deans appointed. A professional will be hired to work with them.
  - Construction for the Science Technology Engineering and Mathematics (STEM) Building is slated to begin in 2010, with architects and engineers hired this summer and construction bids let in early 2010.
  - The new Geographic Information Systems Program (GIS) is underway, under which Atlantic Cape will become the South Jersey center for GIS training through linkages with employers and educational institutions.
- Dr. Mora also discussed other major 2010 projects such as: continuation of the 2.5 million dollar Datatel Management Information System conversion with 50 to 60 employees in leadership roles, expansion of our sports programs with Mr. Mike Rennick as the Senior Athletic and Fitness Manager, new upgrades to the gymnasium, creation of a fitness center, and the expansion of ACCC's intercollegiate sports program with the adding of men's and women's softball and next year adding baseball and volleyball or soccer for women. Other top priorities include implementation of the Green Campus and Safe Campus initiatives based on input from the study done by the NJ Department of Homeland Security which prepared us to evaluate our own safety to be ready to undergo a peer review coming up next year or the end of this year, and finalization of the college rebranding.
- Dr. Mora served as keynote speaker at the Atlantic City Rotary Scholarship Luncheon in May.
- Dr. Gentile was featured on Comcast Newsmakers speaking about the college's role in Cape May County and in workforce training.

- Maria Kellett, ACCC Director of Major Gifts was appointed to the post of District II Chair of the Council for Resource Development.
- College Relations received a silver award at the 24<sup>th</sup> Annual Higher Education Marketing Report Awards in the New Media category for the "What's Cooking" TV segments that appeared on NBC40. The series features ACA chefs demonstrating summer dishes.
- Mr. Parker was recognized for his community-based achievements in the Atlantic City Rotary Club's newsletter.
- Ms. Williams reported that registration is now open for the 40<sup>th</sup> Annual ACCT Leadership Congress taking place October 7-10 in San Francisco. The theme is "Achieving Success in a Global Economy: Navigating the Educational Landscape during Turbulent Times." The college has been selected to provide a panel at the conference.
- Ms. Williams stated that ACCC's Trustee Resource Center has added two new titles: "How to do More with Less: Community College Innovations to Increase Efficiency and Reduce Costs" by Brenda Beckman and "Creating More Learning-Centered Community Colleges" by Terry O'Banion.

Mr. Melchiorre commented on the expansion of the fine and performing arts program stating that a student with interest in this program does not have much to choose from in the area. "This would be an opportunity for the college to become a guiding light especially in Cape May County. No one is meeting this need right now," said Mr. Melchiorre.

Dr. Mora said Mr. Melchiorre's comments will serve as a guideline noting that Dean Wexler is taking a look at what the needs are in regards to academics.

#### X. COMMITTEE REPORTS: DISCUSSION/QUESTIONS

Vice Chairperson Dworsky asked if there were any questions about the committee reports.

Ms. Walsh, as a member of the Diversity, Equity and Community Service Committee, gave a report about the Summer Youth College for disadvantaged students which begins July 6. She praised college staff for their work in revising the program's curriculum and for volunteering their time to teach in the program.

**Secretary's Note:** The Sample Matrix, ACCC, Summer Youth Program '09, Grades 4<sup>th</sup> and 5<sup>th</sup> & Grades 6<sup>th</sup> and 7<sup>th</sup>; Sample Matrix, ACCC, Summer Youth Program '09, (College Readiness Program), CMCC and WACC, Grade 8 were attachments in the Board pad folios.

#### XI. OTHER BUSINESS

Vice Chairperson Dworsky recognized Mr. Hill for his year of service on the Board noting he could not be here tonight. She read the plaque honoring his service on the Board.

#### XII. COMMENTS FROM THE PUBLIC

Vice Chairperson Dworsky asked if there was any comment from the public.

XIII. ADJOURNMENT

On motion of Mr. Crowley and second by Mr. Evans the regular session was adjourned at 7:50 p.m.,  
in Room 113, Cape May Co. Campus, 314 Court House-South Dennis Road, Cape May Court House, NJ.

Respectfully submitted,

BettyAnn Inloes Hines  
ACCC Board Secretary

Attachments: ACCC Foundation Board Report, June 23, 2009  
Academic and Student Affairs, Committee Minutes, June 17, 2009  
Budget, Finance and Audit Committee Minutes, June 17, 2009  
Diversity, Equity and Community Serviced Committee Minutes, June 2, 2009  
Personnel and Board Development Committee Minutes, June 15, 2009  
President's Evaluation Committee Minutes, June 16, 2009 Rev.