I. **CALL TO ORDER REGULAR SESSION**

On Tuesday, December 14, 2010, at 7:00 p.m. Chairperson Nicholas Talvacchia 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 December 2, 2010.

III. **FLAG SALUTE**

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

IV. **ROLL CALL (√)**

<table>
<thead>
<tr>
<th>Board Members</th>
<th>College Personnel</th>
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<tbody>
<tr>
<td>Terrence J. Crowley</td>
<td>Dr. Peter Mora</td>
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<tr>
<td>Thomas J. Dowd</td>
<td>Kathy Corbalis</td>
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<td>David A. Evans</td>
<td>Sean Fischer</td>
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<td>Brian G. Lefke</td>
<td>Dr. Patricia Gentile</td>
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<td>Martha L. Madroñero</td>
<td>Douglas Hedges</td>
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<td>Andrew W. Melchiorre</td>
<td>Dr. Richard Perniciaro</td>
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<td>Eric Reynolds</td>
<td>Terry Sampson</td>
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<td>Chris C. Seher</td>
<td>Cathie Skinner, CPA</td>
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<td>Nicholas F. Talvacchia, Esquire</td>
<td>Dr. Art Wexler</td>
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<td>Maria Ivette Torres</td>
<td>BettyAnn Inloes Hines</td>
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<td>Helen W. Walsh</td>
<td>Louis J. Greco, Esquire</td>
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<th>Others in Attendance</th>
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<tr>
<td>Jane Lugo, Atlantic Co. Treasurer &amp; CFO</td>
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<tr>
<td>Cindy DeFalco, AC Employee</td>
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<td>Grant Wilinski, AC Employee</td>
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V. **CALL TO ORDER EXECUTIVE SESSION**

None

VI. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS**

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

VII. **NOMINATIONS FOR OFFICERS—CHAIRPERSON, VICE CHAIRPERSON AND TREASURER**

Mr. Crowley, Nominating Committee Chair, recognized the service of the Nominating Committee members—Mr. Lefke and Ms. Walsh. Mr. Crowley made the following comment:
The Committee has met to prepare recommendations for officers for the 2010-2011 year. We would like to thank the Board for allowing us extra time to finalize our recommendations. In preparing these recommendations, the Committee was presented with an unusual set of circumstances. The Committee took into consideration that the normal progression of officers was not possible this year and conducted their discussions accordingly. In addition, the college is facing some unique operational issues that will extend throughout the upcoming year. These include the ongoing negotiations with the various bargaining units, the capital plan, and the upcoming budget preparation. With these factors in mind, the Committee believes that some measure of stability is needed to guide the Board through these issues.

Mr. Crowley said the Committee recommends Mr. Talvacchia for re-election to the position of Chairperson. There were no nominations from the floor. The nomination was closed

Mr. Crowley moved and Ms. Walsh seconded the nomination of Mr. Talvacchia as Chairperson.

ROLL CALL: ALL AYES, NO NAYS

Mr. Crowley said the Committee recommends Mr. Evans for the position of Vice Chairperson. There were no nominations from the floor. The nomination was closed.

Mr. Crowley moved and Chairperson Talvacchia seconded the nomination of Mr. Evans as Vice Chairperson.

ROLL CALL: ALL AYES, NO NAYS

Chairperson Talvacchia thanked the Nominating Committee for their work on the slate of officers.

Chairperson Talvacchia said he was honored to be considered for a third term as Board Chairperson. "I have been on the Board for ten years and it is a most gratifying experience. I look forward to working with Dr. Mora to move the college's agenda forward," said Chairperson Talvacchia.

VIII. APPOINTMENT OF SECRETARY OF THE BOARD

Chairperson Talvacchia reappointed Ms. Hines as Secretary to the Board and thanked Ms. Hines for her hard work on behalf of the Board.

IX. APPOINTMENTS/RECRUITMENT FOR STANDING COMMITTEES

Chairperson Talvacchia said the Standing Committee appointments would not be done tonight.
X. **ANNUAL TRUSTEE FORMS**

   Secretary Hines said the Annual Trustee Forms have been received from all the Board members and President Mora.

XI. **CALL TO ORDER – REGULAR SESSION**

   Chairperson Talvacchia said the agenda order would be changed to accommodate one of the items on the President's Report.

   Dr. Mora asked Vice President Wexler to provide information on the Atlantic County Digital History Project (supported by PowerPoint presentation) coordinated by the academic and library areas.

   Vice President Wexler said the purpose of the project is to identify, preserve and provide additional local historical material to support the "History of South Jersey" course offered by the college and to make this material accessible to the community. He introduced Associate Dean Grant Wilinski to give further details about the project.

   Associate Dean Wilinski said the college library has been digitizing material for quite a while. Now they will be identifying historical information in the county to access and preserve which includes a rare book about *Amitol*, a site of a WWI munitions factory which is being identified and digitally preserved. Materials will be accessible via the library's digital archive. The materials supported are integrated with the college's long standing History of South Jersey course. Dr. Mitch Mischlich, adjunct instructor, will provide historical analysis and interpretation. A matching grant from the Atlantic County Office of Cultural and Heritage Affairs supports the project. As local organizations lack the resources to preserve and provide access to unique material, this initiative will serve as an example of using shared resources of the college and the county to provide a cost-effective service.

   Ms. Walsh noted she is a member of the Atlantic Heritage Center Historical Society and is looking forward to working with Associate Dean Wilinski and his staff on this project.

   Associate Dean Wilinski said there is a need for this service and history will be lost if it is not preserved for the future.

   Dr. Mora asked if there were any questions.
XII.  **BUDGET REPORT**

Mr. Evans said the preliminary fiscal year 2010-2011 year-to-date data summarized in the Board Summary Report for the five months ended November 30, 2010, indicate the college has earned 49.14% of budgeted revenues and expended 38.33% of budgeted expenses.

Ms. Walsh asked the Board to look at the balance shown on the Financial Report, Executive Summary, November 30, 2010, Section I, Page 3 of 5. She wanted to know if we are able to hold down expenses to offset the loss of revenue. She noted that the revenues were higher at this time last year.

Dean Skinner said it depends upon our Spring enrollments.

Chairperson Talvacchia asked if there were any additional questions.

XIII.  **RESOLUTIONS**

A.  **Regular Resolutions**

Mr. Evans moved and Ms. Walsh seconded the acceptance of the Financial Statement Executive Summary for November 30, 2010, **Res. #44**.

ROLL CALL: AYES, NO NAYS

Ms. Torres moved and Ms. Walsh seconded the following, **Res. #47**.

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

WHEREAS, Atlantic Cape Community College has adopted a policy that prohibits bullying and harassment on the college campuses and at off campus college sponsored events. Students that are found to be in violation of the Bullying Policy will be in direct violation of the Student Code of Conduct Policy or the Threatening and Violent Behavior Policy. The disciplinary process for these policies will be enforced (see attached), and

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

THEREFORE BE IT RESOLVED, upon the recommendation of the President, that the Board of Trustees adopt Policy No. 217: Bullying.

ROLL CALL: AYES, NO NAYS, ABSTENTION (Mr. Talvacchia)

Mr. Evans explained **Res. #14 Rev.** and Ms. Walsh seconded the following:

WHEREAS on August 24, 2010, the Board of Trustees adopted Res. #14 for the Solar Site Lease Agreement and the Power Purchase Agreement with Solar Power Partners, Inc. and PEPCO; however, due to minor changes the terms and conditions must be revised, and

WHEREAS, the college issued a request for proposals for a Power Purchase Agreement for the design, acquisition, installation, tax ownership, commissioning, operation and maintenance of solar energy systems to be located at the Mays Landing and Cape May County Campuses, and

WHEREAS, the goal of the college is to implement a solar energy system that is both environmentally responsible and economically beneficial, and
WHEREAS, the college received proposals from six (6) solar energy developers and college’s consultant (Gabel Associates) recommended that the college award a Power Purchase Agreement to Pepco Energy Services because they provided the greatest economic benefit over the term of the agreement, provided a Power Purchase Agreement the terms of which protect the interest of the college and the project met or exceeded the technical requirements of the request for proposal (see attached) and

WHEREAS, the Board of Trustees approved the college to enter into a Power Purchase Agreement with Pepco at the January 26, 2010, and

WHEREAS, the term and the conditions of the 20 year Lease and Power Purchase Agreement have been negotiated and an Assessment of Risks, Protections and Benefits was reviewed with the Board, and

WHEREAS, minor changes (see attached) have been negotiated to the terms and the conditions of the 20-year Lease and Power Purchase Agreement since the August 24, 2010 approval, and

WHEREAS, Solar Power Partners, Inc. a subsidiary of Pepco Holding Company, is providing the financing for the project.

NOW THEREFORE BE IT RESOLVED that the Board approve the Solar Site Lease Agreement and the Power Purchase Agreement with Solar Power Partners, Inc. and PEPCO as outlined in the attached documents.

Chairperson Talvacchia asked if there were any questions.

ROLL CALL: AYES, NO NAYS, ABSTENTION (Mr. Talvacchia)

B. Consent Resolutions

Chairperson Talvacchia asked if there were any consent resolutions to be removed for further discussion.

It was requested that Res. #45 be removed from the consent agenda and placed on the regular agenda.

The Board amended Res. #45 by leaving Mr. Halldorson on the resolution and removing Ms. Curristine for creation of Res. #45B.

Chairperson Talvacchia noted the consent resolutions—Res. #43, Res. #45 Amended, Res. #45A, Res. #46, Res. #28A Amended Rev. and Res. #48. He stated if there were no further objections, the resolutions on the consent agenda would be adopted.

Ms. Reynolds moved and Ms. Torres seconded the following:

Res. #43
Regular Minutes for November 23, 2010

Res. #45 Amended
It is respectfully recommended, by the President that the Board approve the following:

Appointment

Oscar Halldorson, Air Traffic Control Instructor at an annual salary of $42,807 effective January 18, 2011.
Res. #45A
WHEREAS, Ralph Marone has served Atlantic Cape Community College providing custodial services for more than 29 years, and
WHEREAS, Mr. Marone’s service at the college is largely characterized by his role as Housekeeper I, and
WHEREAS Mr. Marone’s been identified as one of the college’s “senior custodians who can work in any building and get the job done” has often been complimented for having a “good attitude”, and
WHEREAS, Mr. Marone has indicated his desire to retire from employment with Atlantic Cape Community College.
THEREFORE BE IT RESOLVED upon the recommendation of the President, that the Board approve the retirement of Mr. Ralph Marone effective December 31, 2010.
BE IT FURTHER RESOLVED that the Board extends to Mr. Marone its best wishes for a healthy and happy retirement.

Res. #46
It is respectfully recommended that the Board of Trustees approve the following:

Bid Ex. 601 Internet Services, Consortium Purchase, (FY11 Information Technology Services) $77,620.00
New Jersey Institute of Technology/NJEDge.net Newark, NJ

Res. #28A Amended Rev.
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR Blackboard, Inc., Washington, DC
WHEREAS, Blackboard, Inc. has submitted a proposal on November 19, 2010, to revise their contract that was adopted on October 28, 2008, Res. #28A Amended. Due to increased use of the Blackboard Tools for online courses, traditional classes and Continuing Education classes, there is a need for more bandwidth and more storage in this the last year of the three-year contract, and
WHEREAS, they have indicated they will provide additional bandwidth and storage for the sum of $28,000.00 and the addendum to the existing contract is to cover the need for the last year of the three-year contract (see attached), and
WHEREAS, under New Jersey Community College Contract Law a Contract for services or supplies with a sole source proprietary software vendor may be negotiated or awarded without public advertising for bids, and
WHEREAS, the Purchasing Senior Manager has determined and certified in writing that the value of the acquisition will exceed $17,500, and,
WHEREAS, the anticipated term of this contract is three years as approved by this governing body, and
WHEREAS, Blackboard, Inc. has submitted a proposal on September 8, 2008, indicating they will provide the Training, Technical Support and Consulting Services for the sum of $225,893.00, and they will provide additional bandwidth and storage for the sum of $28,000.00, and
WHEREAS, Blackboard, Inc. of Washington, D.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Blackboard, Inc has not made any reportable contributions to a political or candidate committee in the counties of Atlantic and Cape May in the previous one year, and that the contract will prohibit Blackboard, Inc. 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 Terry Sampson, Executive Director of Administration and Business Services to enter into a contract with Blackboard, Inc. as described on the attached supporting documents.

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

Res. #48

RESOLVED: At a public meeting of the Board of Trustees to be held on January 25, 2011, 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 Trustees 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

Mr. Reynolds moved and Ms. Torres seconded Res. #45B.

It is respectfully recommended, by the President that the Board approve the following:

Appointment

Eileen Curristine, Dean of Human Resources and Compliance at an annual salary of $87,000 effective January 2011.

ROLL CALL: AYES (2), NAYS (5), ABSTENTIONS (3)

The Board engaged in a discussion with Mr. Evans, a member of the Personnel & Board Development Committee, Ms. DeFalco, Human Resources Director, and Dr. Mora concerning clarification of certain information and inconsistencies on Ms. Curristine’s resume.

There were some questions the Board felt required further information from Ms. Curristine. They requested that the adoption of this resolution be delayed until these questions are answered.

The Board delayed Res. #45B.

Secretary’s Note: Mr. Melchiorre left the meeting at 7:30 p.m. and returned at 7:40 p.m.

XIV. PRESIDENT’S REPORT: (continued) The following items were presented: New Jersey Council of County Colleges Trustee Retreat; 10 public relations, marketing and fundraising awards received by College Relations; college media coverage; and Board Development and Activity Calendar.

- Dr. Mora reported on the December 6 New Jersey Council of County Colleges Trustee Retreat. Panel discussions focused on the Big Ideas Initiative and challenges facing New Jersey community colleges. Ms. Torres and Ms. Walsh explained the primary focus of the Big Ideas Initiative—student success.
- Ms. Corbalis reported on the 10 public relations, marketing and fundraising awards the college received this fall from the National Council for Marketing and Public Relations, Jersey Shore Public Relations and Advertising Association, Council for the Advancement and Support of Education and the Philadelphia Chapter of the Public Relations Society of America. She credited the College
Relations staff, the Academy of Culinary Arts, and the Restaurant Gala committee for their hard work on the winning projects.

- Ms. Corbalis gave an overview of major media coverage received by the college in the last three weeks.
- Mr. Fischer reviewed the Board Development and Activity Calendar for the next several months.

XV. COMMITTEE REPORTS: DISCUSSION/QUESTIONS

None

XVI. OTHER BUSINESS

Chairperson Talvacchia said this is the last meeting for Mr. Seher's and he thanked him for his service.

XVII. COMMENTS FROM THE PUBLIC

Ms. Lugo said, "The second reading of the bond ordinance for the $5 million to be matched by CRDA occurred the previous Tuesday, December 7, and was adopted unanimously by the Freeholder Board. It was published in The Press on December 9 and will be on the county books December 29, 2010."

Ms. Lugo informed the Board that the freeholders approved the appointment of a new member on our Board to replace Mr. Seher who had to resign to hold public office.

Mr. Seher's mentioned he knew the appointed replacement and he was honored to be replaced by her.

XVIII. ADJOURNMENT

On motion of Mr. Crowley and second by Mr. Reynolds the regular session was adjourned at 7:45 p.m., in the Board Room, J-202, on the main campus, 5100 Black Horse Pike, Mays Landing, NJ.

Respectfully submitted,

BettyAnn Inloes Hines
Atlantic Cape Board Secretary

Attachments: Academic and Student Affairs, Committee Minutes, December 8, 2010
Atlantic Cape Foundation Board Report, December 2010
Budget, Finance and Audit Committee Minutes, December 7, 2010
Long-Range Planning and Capital Projects Committee Minutes, December 6, 2010
Personnel and Board Development Committee Minutes, December 8, 2010