

**UNION COUNTY COLLEGE**  
**Cranford, New Jersey**

**BOARD OF TRUSTEES**  
**Minutes of Meeting**  
**January 26, 2021**

**CALL TO ORDER**

The meeting was called to order by Victor M. Richel, Chair, at 7:50 p.m. via teleconference.  
The following were in attendance:

**TRUSTEES**

Mr. Richel; Lawrence D. Bashe; Rafael J. Betancourt, Esq.; George A Castro, II; Edward J. Chrystal, Jr.; Daniel J. Connolly; Nick Fixmer; Miguel A. Merino; Daryl Palmieri; Dr. Kamran Tasharofi; Mary M. Zimmermann; Dr. Margaret M. McMenemy, President.

**ALSO PRESENT**

Denise Collins; Dr. Demond T. Hargrove, Vice President of Student Development; Dr. Maris A. Lown, Vice President Academic Affairs; Dr. Jaime M. Segal; Lynne A. Welch, Vice President, Financial Affairs and Treasurer.

A quorum of the Board of Trustees was present.

**OPEN PUBLIC MEETING ACT**

Completed.

**MINUTES**

On motion duly made by Mr. Castro and seconded by Dr. Tasharofi, the Minutes of the Meeting of the Board of Trustees of December 1, 2020 were approved as submitted.

**COMMUNICATIONS**

Completed.

**REPORTS OF JOINT TRUSTEES AND GOVERNORS COMMITTEES**

**EDUCATIONAL PLANNING AND POLICY COMMITTEE**

Mrs. Zimmermann reported to the Board that at the Educational Planning and Policy meeting held earlier, Dr. Lown and Dr. Hargrove provided the Committee with long-term as well as AY 2019-2020 outcomes of the Student Success Plan, and Dr. Cooner presented academic programs reviewed in Spring 2020 as well as their job outlooks and recommendations. Mrs. Zimmermann also reported that enrollment for Spring 2021 is down 11%.

Mrs. Zimmermann submitted the following Resolutions for approval:

**Resolution – E021-005 - Faculty Personnel Actions**

**RESOLVED**, that the following faculty personnel actions recommended by the President be approved:

**Retirement:**

Anne Bertin, Assistant Professor, Institute for Intensive English Division, effective February 1, 2021.

Dr. Toby Grodner, Senior Professor, Social Sciences, Business, & History Division, effective February 1, 2021.

On motion duly made by Mrs. Zimmermann, seconded by Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

**Resolution E021-006 - Staff Personnel Actions**

**RESOLVED**, that the following staff personnel actions recommended by the President be approved:

**Staff Appointments:**

Marieanne Angulo, Director of Instructional Design, Academic Affairs, effective January 4, 2021, \$83,000 per annum.

Dick Philippe, Custodian, Financial Affairs, effective January 4, 2021, \$29,120 per annum.

Joseph Therasmond, Custodian, Financial Affairs, effective January 4, 2021, \$29,120 per annum.

**Staff Promotions/Reclassifications/Reinstatements:**

Oneida Wright, Division Secretary from Executive Assistant, Academic Affairs, effective January 11, 2021, \$50,020 per annum.

Gillyam Suazo, Student Services Specialist from Student Services Generalist, EOF, Student Development, effective January 16, 2021, \$51,000 per annum.

Raquel Vazquez, Student Services Generalist, Student Development, separation was effective June 30, 2020. Reinstated January 19, 2021.

**Staff Employment Separations:**

Raenisha Smith, Division Secretary, Academic Affairs, effective January 7, 2021.

Ricky Absolu, Recruiter, Student Development, effective January 18, 2021.

Leanne Applin, Student Services Specialist, Student Development, effective January 18, 2021.

Nancy Burke, Business Development and Marketing Manager, Financial Affairs, effective January 18, 2021.

Denisa Klinkova-Bacek, Recruiter, Student Development, effective January 18, 2021.

Ruben Melendez, Director of EOF, Student Development, effective January 22, 2021.

Timothy Domick, Director of Libraries, Academic Affairs, effective January 29, 2021.

Kathleen Kliesch, Student Services Associate, Student Development, effective February 1, 2021.

On motion duly made by Mrs. Zimmermann, seconded by Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

#### **SAFETY REPORT – S485**

Dr. McMenemy stated that in compliance with the Cunningham – Ruiz Law (S485, codified at N.J.S.A. 18:3B-71) requiring reporting of campus crimes and fire incidents for the period from November 15, 2020 to January 11, 2021, Public Safety advised that there were no incidents to report.

#### **BUDGET AND FINANCE COMMITTEE**

Mr. Connolly reviewed the Investment Report and reported that all investments are found to be in order and are within acceptable norms.

#### **Financial Report:**

Mr. Connolly reviewed the financial report for December 31, 2020 was found to be in order. He stated that revenue is down approximately 12% resulting from a year to date 12.8% enrollment decrease which has been a direct result of the pandemic. Mr. Connolly reported that the College has also experienced a decrease in State funding of \$1.4 million compared to the previous year due to budget cuts, and that the decrease in total expenses year over year is primarily due to the College's efforts to control costs in this COVID environment as well as assistance from the Coronavirus Relief Funds.

#### **Current Estimate Report:**

Mr. Connolly reviewed the Current Estimate Report and stated that at this time, a transfer to Unrestricted Net Position of \$2.3 million is anticipated for fiscal year ended June 30, 2021.

Mr. Connolly presented the following Resolutions for approval:

#### **Grant Resolutions**

##### **Resolution F021-020 - Coronavirus Relief Fund (CRF) Grant First Amendment**

**WHEREAS**, Union County College, as a comprehensive community college, seeks to sustain quality undergraduate education and the well-being of its students during the COVID-19 pandemic crisis which has affected colleges and universities nationwide, and

**WHEREAS,** on March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was enacted to provide economic stimulus in response to the global pandemic caused by the Novel Coronavirus Disease 2019 (COVID-19), and

**WHEREAS,** the State of New Jersey received funding through the Coronavirus Relief Fund (CRF) which was established under Section 5001 of the Coronavirus Aid Relief, and Economic Security (CARES) Act. The state determined to allocate this funding to institutions of higher education, and

**WHEREAS,** in order to receive an award from these funds, institutions submitted applications to the State of New Jersey, Office of the Secretary of Higher Education (OSHE) that described hardships that the institution experienced due to the COVID 19 pandemic and how the institution would use the funds to cover allowable expenses in response to the pandemic, and

**WHEREAS,** the College was notified on November 04, 2020 that it received funding from the State of New Jersey, Office of the Secretary of Higher Education (OSHE) for allowable expenditures incurred between March 1, 2020 and December 30, 2020 for the amount of \$1,690,705 through the Coronavirus Relief Fund (CRF) Grant and the Board of Trustees accepted these funds at the December 1, 2020 Board Meeting, and

**WHEREAS,** the Treasurer, State of New Jersey determined that it would be in the best interest of the state to use additional portions of the Coronavirus Aid, Relief, and Economic Security (CARES) Act funds as further funding for the Coronavirus Relief Fund (CRF) and the College was notified of its potential allocation of funding from the State of New Jersey, Office of the Secretary of Higher Education (OSHE) for allowable expenditures incurred between March 1, 2020 and December 30, 2020 for the amount of \$1,889,997 through the Coronavirus Relief Fund (CRF) Grant, and

**WHEREAS,** the College filed the required Coronavirus Relief Fund (CRF) budget in the amount of \$1,320,360 as a result of and depending upon goods and services that could be received and incurred, respectively, by December 30, 2020, and

**WHEREAS,** on December 18, 2020, the College received the First Amendment to the Coronavirus Relief Fund (CRF) Grant from the State of New Jersey, Office of the Secretary of Higher Education (OSHE) for allowable expenditures incurred between March 1, 2020 and December 30, 2020 for the amount of \$1,320,360 for a total award amount of \$3,011,065;

**WHEREAS,** on December 30, 2020, the State of New Jersey, Office of the Secretary of Higher Education (OSHE) granted an extension on the CRF funding previously allocated through March 30, 2021. This extension will allow institutions additional time to expend this federal funding;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College accepts the College's additional allocation of funding from the State of New Jersey, Office of the Secretary of Higher Education (OSHE) for the amount of \$1,320,360 for the First Amendment to the Coronavirus Relief Fund (CRF) Grant for expenditures incurred between the period March 1, 2020 and March 30, 2021.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolution for adoption.

**Resolution F021-021 - Community College Opportunity Grant**

**WHEREAS,** Union County College, is a comprehensive community college providing quality, affordable, accessible educational programs that serve the greater Union County region, and

**WHEREAS,** the College, applied to the State of New Jersey, Office of the Secretary of Higher Education (OSHE) for the Community College Opportunity Grant (CCOG) Student Success Initiative funding, and

**WHEREAS,** the Community College Opportunity Grant (CCOG) is the State of New Jersey's free community college initiative that will provide last dollar awards to New Jersey community college students with adjusted gross income (AGI) under \$65,000, and

**WHEREAS,** Union County College has been notified that it was awarded \$265,000 for the Community College Opportunity Grant (CCOG) Student Success Initiative funding to be implemented during the period July 1, 2020 through June 30, 2021, and

**WHEREAS,** the purpose of the partnership between the Office of the Secretary of Higher Education (OSHE) and the College is to increase matriculation and support the goals of the Community College Opportunity Grant (CCOG) by implementing goals and strategies for capacity building and increasing enrollment, improving student completion and reducing financial burdens on students;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College accepts \$265,000 in funding from the Office of the Secretary of Higher Education (OSHE) for the Community College Opportunity Grant (CCOG) Student Success Initiative funding for the period July 1, 2020 through June 30, 2021.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolution for adoption.

**Resolution F021-022 - Carl D. Perkins Career and Technical Education Improvement Grant**

**WHEREAS,** Union County College, as a comprehensive community college, seeks to provide career occupational training programs designed to assist Union County College students and other Union County residents to become employed, and

**WHEREAS,** the Carl D. Perkins Career and Technical Education Improvement Grant (“Perkins”) is a Federally authorized grant whose aim is to increase the academic achievement of career and technical education students and strengthen the connections between secondary and postsecondary education, and

**WHEREAS,** on June 26, 2020, the College submitted the final phase of its Spending Plan in substantially approvable form to the State of New Jersey Department of Education in the application process for Perkins grant funding for the fiscal year ending June 30, 2021 principally covering related personnel, materials and supplies, instructional equipment, travel and other costs, and

**WHEREAS,** pursuant to EDGAR, 34 CFR Part 76.708, the College may begin to obligate these funds the later of the program duration start date of July 1, 2020 or the date the application was received by the State in substantially approvable form, and

**WHEREAS,** the State of New Jersey Department of Education requires the governing body of eligible recipients to formally accept all funds awarded under the Carl D. Perkins Career and Technical Education Improvement Grant, and

**WHEREAS,** on December 16, 2020, the State of New Jersey Department of Education notified Union County College that its Perkins application was awarded and “approved” for the amount of \$738,261;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College accepts \$738,261 in funding from the Carl D. Perkins Career and Technical Education Improvement Grant for the fiscal year ending June 30, 2021.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolution for adoption.

**Resolution F021-023 - College Readiness Now VII Grant**

**WHEREAS,** Union County College, as a comprehensive community college, seeks to provide opportunities to increase college readiness of high school students prior to graduation, and

**WHEREAS,** the College responded to an opportunity offered by the New Jersey Council of County Colleges (NJCCC) through a partnership with the Office of the NJ Secretary of Higher Education (OSHE). The program’s priority is to identify students in the 11<sup>th</sup> and 12<sup>th</sup> grade, living below the poverty line who are not yet “college ready”. Recipients of this grant are responsible for defining and

documenting the methodology utilized to identify students who are living below the poverty line by using an assessment tool, and

**WHEREAS,** Union County College received notification from the New Jersey Council of County Colleges (NJCCC) that \$60,094 was approved for the College Readiness Now VII Grant for the period October 1, 2020 to August 20, 2021, and

**WHEREAS,** the College will partner with Linden Public Schools offering college readiness workshops consisting of topics such as: financing college, career pathways assessment & academic/degree planning, college expectations and college success resources in addition to an English 101 dual enrollment course, with accompanying remedial courses for students with a series of remote outreach/recruitment strategies planned for students and families;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College accepts \$60,094 in funding from the New Jersey Office of the Secretary of Higher Education (OSHE) through the New Jersey Council of County Colleges (NJCCC) for the fiscal period October 1, 2020 to August 20, 2021 for the College Readiness Now VII Grant.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolution for adoption.

**Resolution F021-024 - New Jersey Space Grant Consortium Training Grant**

**WHEREAS,** Union County College, as a comprehensive community college, seeks to enhance undergraduate STEM education for its students by providing unique opportunities for them to engage in under-graduate research, new technology platforms, and inquiry-based experiences, and

**WHEREAS,** the College applied for a subaward from Rutgers The State University of New Jersey for the New Jersey Space Grant Consortium Training Grant to participate in an authentic aerospace experience that can prepare students to work in a NASA-related field and promote continued interest in STEM and NASA-related careers, and

**WHEREAS,** Rutgers, The State University of New Jersey, was awarded the New Jersey Space Grant Consortium Training Grant for the period March 14, 2020 to March 13, 2024 and is considered the lead agency for purposes of this initiative in a consortium with twenty two affiliates consisting of two and four year colleges and non-profit institutions with a mission to develop programs that further space science, aerospace and STEM education as well as foster research and development in New Jersey, and

**WHEREAS,** Union County College has received notification that a subaward in the amount of \$25,000 has been approved by Rutgers, The State University of New Jersey for the New Jersey Space Grant Consortium Training Grant for the period October 1, 2020 to September 30, 2021;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College accepts \$25,000 from Rutgers, The State University of New Jersey for the fiscal period October 1, 2020 to September 30, 2021 for a subaward for the New Jersey Space Grant Consortium Training Grant.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolution for adoption.

**Contracts Exempt from Competitive Bidding**

**Resolution F021-025 - Servo-U Ventilator with Compressor**

**WHEREAS,** the College has a need to provide respiratory care training, especially during the COVID-19 pandemic, within the Allied Health Division, in support of the mission of the College, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(3) provides for an exception to the requirement of advertising for bids for the purchase of items or services not available from more than one potential bidder, and

**WHEREAS,** Getinge USA Sales, LLC, Wayne, NJ submitted a proposal for a Servo-U Ventilator with Compressor at a cost not to exceed \$42,401, and

**WHEREAS,** the Getinge Servo-U ventilator is the only one on the US market approved by the Federal Drug Administration (FDA) that utilizes Neutrally Adjusted Ventilatory Assist Technology (NAVA) and Non-Invasive NAVA Technology and that has a O2 sensor that operates off ultrasonic technology. The use of these specific modes allows the student the greatest potential for learning ventilator to patient interface and for decreased ventilator maintenance, and

**WHEREAS,** the Uniform Grant Guidance (UGG) for Federal Funds, UGG section 200.320 (F), permits the procurement of sole source materials through noncompetitive proposals, and Getinge USA Sales, LLC, Wayne, NJ has supplied a letter to the College attesting to their status as same, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that this purchase is within the stated purpose and goals of the Carl D. Perkins Career and Technical Education Improvement Grant, and

**WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

**WHEREAS,** the award to Getinge USA Sales, LLC, Wayne, NJ is subject to the college's receipt of properly executed Business Entity Disclosure and Political Contribution

Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to the contract award, and that they will be prohibited from making any reportable contributions through the term of the contract, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to Getinge USA Sales, LLC, Wayne, NJ for a Servo-U Ventilator with Compressor at a total cost not to exceed \$42,401 for Fiscal Year 2020-2021.

**BE IT FURTHER RESOLVED** that the Board of Trustees of Union County College award a contract to Getinge USA Sales, LLC, Wayne, NJ subject to the College's receipt of properly executed Play-to-Play documentation certifying that they have not made and will not make any reportable contributions to a political or candidate committee pursuant to N.J.S.A.19:44A-20.26 that would statutorily prohibit issuance of a purchase order or agreement execution.

**Resolution F021-026 - COVID-19 Testing Supplies**

**WHEREAS,** the College requires COVID-19 testing supplies for all campuses during the pandemic crisis to ensure the safety of our College community, in support of the mission of the College, and

**WHEREAS,** on October 28, 2020, the Governor of New Jersey signed Executive Order No. 192 which mandates employers abide by certain health and safety standards to protect all New Jersey workers during the pandemic, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.6. provides for an exception to the requirement of advertising for bids when there is an emergency affecting the health, safety or welfare of occupants of the college property which requires the immediate delivery of products and or services, and

**WHEREAS,** the College has received Federal and State grant awards to cover costs associated with the disruption of campus operations due to the Coronavirus and this purchase has been identified as a cost that is reimbursable under such funding, and

**WHEREAS,** Ginkgo Bioworks Inc., Boston, MA will provide 5,250 rapid tests at a cost of \$22.00 per kit which includes administrative services and freight for a cost not to exceed \$115,500 for Fiscal Year 2020-2021, and

**WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

**WHEREAS,** the award to Ginkgo Bioworks Inc., Boston, MA is subject to the college's receipt of properly executed Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to the contract award, and that they will be prohibited from making any reportable contributions through the term of the contract, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to Ginkgo Bioworks Inc., Boston, MA for COVID-19 testing supplies for a total cost not to exceed \$115,500 for Fiscal Year 2020-2021.

**BE IT FURTHER RESOLVED** that the award of this contract is contingent on Union County College's receipt of properly executed Pay-to-Play documents from Ginkgo Bioworks Inc., Boston, MA, certifying that they have not made and will not make any reportable contributions to a political or candidate committee pursuant to N.J.S.A.19:44A-20.26 that would statutorily prohibit issuance of a purchase order or agreement execution.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolutions F021-025 and F021-026 for adoption.

**Resolution F021-027 - Additional Fire Systems Maintenance and Repairs**

**WHEREAS,** the College requires inspection, maintenance and repairs of the College-wide fire systems on all campuses to provide for campus safety and comfort, in support of the mission of the College, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.9 provides for awarding contracts without public competitive bids when there is a state agreement that has been publicly bid for the product or service, and

**WHEREAS,** on May 19, 2020, the Board of Trustees awarded contracts to Tyco Fire & Security (US) Management, Inc. dba Johnson Fire Protection LP, Boca Raton, FL a State Contract vendor, utilizing contract #83717 to provide fire systems inspection, maintenance and repair services for all campuses, chiller maintenance on the Cranford campus and building automation in the Kellogg Building at a total cost not to exceed \$66,499 from July 1, 2020 through June 30, 2021, and

**WHEREAS,** Tyco Fire & Security (US) Management, Inc. dba Johnson Controls Fire Protection LP, Boca Raton, FL, has submitted a proposal utilizing state contract #83717 for additional maintenance and repair of the fire safety systems on all

campuses to remediate fire extinguisher deficiencies uncovered during inspections at a cost not to exceed \$13,500 from July 1, 2020 through June 30, 2021, and

**WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceed \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

**WHEREAS,** NJ State Contract vendors are subject to the Pay-to-Play Law and are required to maintain Business Entity Disclosure and Political Contribution Disclosure Certifications with the State of New Jersey, thereby releasing Union County College from the requirement to obtain such documentation, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to Tyco Fire & Security (US) Management, Inc. dba Johnson Controls Fire Protection LP, Boca Raton, FL for additional inspection and repair services of fire extinguishers at a cost not to exceed \$13,500, for a total award not to exceed \$79,999 from July 1, 2020 through June 30, 2021.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolution for adoption.

**Resolution F021-028 - Licensed Practical Nurse (LPN) Comprehensive Review Courses**

**WHEREAS,** the College has a need to provide students enrolled in the Licensed Practical Nurse (LPN) program with comprehensive review courses, including electronic resources, to enhance and evaluate student's knowledge of content and to prepare them to pass the National Council Licensure Examination (NCLEX-PN) in support of the mission of the College, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(6) provides for an exception to the requirement of advertising for bids in the provision of textbooks, copyrighted materials including without limitation books, periodicals and other printed or published matters, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A-64A-25.5a.(15) provides for awarding of contracts for professional services without public competitive bids, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

**WHEREAS,** on June 23, 2020, the Board of Trustees awarded a contract to Assessment Technologies Institute LLC, Leawood, KS for a comprehensive review course for NCLEX-PN at a cost not to exceed \$83,700 for the fall 2020 semester, and

**WHEREAS,** Assessment Technologies Institute LLC, Leawood, KS submitted a proposal to provide a comprehensive review course from enrollment to completion for students enrolled in the LPN program consisting of an on-site review, online resources and an assessment to help predict student success on the NCLEX-PN at a cost not to exceed \$83,700 for the spring 2021 semester, and

**WHEREAS,** the cost for similar LPN program course exams and review materials for Fiscal Year 2019-2020 was \$148,590, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that this purchase is within the stated purpose and goals of Carl D. Perkins Career and Technical Education Improvement Grant, and

**WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the value of the acquisition will exceed \$17,500, and

**WHEREAS,** Assessment Technologies Institute LLC, Leawood, KS has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and they will be prohibited from making any reportable contributions through the term of the contract, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to Assessment Technologies Institute LLC, Leawood, KS, to provide comprehensive review courses that meet the needs of students enrolled in the LPN program at a cost not to exceed \$83,700 for the spring 2021 semester for a total award not to exceed \$167,400 from July 1, 2020 through June 30, 2021.

**Resolution F021-029 - Additional Instructor Insight Software Maintenance, Licensing and Support**

**WHEREAS,** the College has a need to identify students and instructors that may require additional support or services, especially during the remote learning environment precipitated by COVID-19, through the use of Instructor Insight software which is essential to student success in support of the mission of the College, and

- WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for exceptions to the requirement for advertising for bids for the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and
- WHEREAS,** on July 6, 2020, AspirEDU Inc., Tampa, FL submitted a proposal at a cost not to exceed \$16,000 to provide annual maintenance, licensing and support for Dropout Detective software used to increase retention and graduation rates for 3,000 students from July 1, 2020 until June 30, 2021, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and
- WHEREAS,** on September 22, 2020, the Board of Trustees awarded a contract to AspirEDU Inc., Tampa, FL for Instructor Insight software, maintenance, licensing and support to provide metrics on the engagement and performance of instructors in their courses for 3,000 students at a cost of \$9,720 for Fiscal Year 2020-2021, and
- WHEREAS,** the cost for only the Dropout Detective software maintenance, licensing and support services for the most recent twelve (12) months was \$16,200 for 3,000 students, and
- WHEREAS,** the College has received Federal and State grant awards to cover costs associated with the disruption of campus operations due to the Coronavirus and this purchase has been identified as a cost that is reimbursable under such funding, and
- WHEREAS,** AspirEDU Inc., Tampa, FL has submitted a proposal for additional Instructor Insight software maintenance, licensing and support for 5,000 more students for spring 2021 at a cost not to exceed \$13,350, and
- WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and
- WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and
- WHEREAS,** AspirEDU Inc., Tampa, FL has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and they will be prohibited from making any reportable contributions through the term of the contract, and
- WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to AspirEDU Inc., Tampa, FL at a cost of \$13,350 for additional Instructor Insight software maintenance, licensing, and support for a total award not to exceed \$39,070 for Fiscal Year 2020-2021.

**Resolution F021-030 - Data Networking Equipment**

**WHEREAS,** in response to the COVID-19 pandemic and increased network traffic, the college requires equipment and installation of hardware that will allow the redirection of workloads uniformly across campuses to optimize network efficiency, in support of the mission of the College, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.11a.(b) provides for awarding contracts without public competitive bids when there is a nationally recognized and accepted cooperative agreement that has been publicly bid for the product or service, and

**WHEREAS,** on May 19, 2020, the Board of Trustees awarded a contract to Aspire Technology Partners LLC, Eatontown, NJ for Voice and Data, Software Maintenance Renewal and Support for a total award not to exceed \$254,948 for Fiscal Year 2020-2021, and

**WHEREAS,** on September 22, 2020, the Board of Trustees awarded a contract to Aspire Technology Partners LLC, Eatontown, NJ for Video Enabled Classrooms and Data Switch replacements for a total award not to exceed \$487,142, and

**WHEREAS,** on December 1, 2020, the Board of Trustees awarded a contract to Aspire Technology Partners LLC, Eatontown, NJ for two (2) load balancers and maintenance for a total award not to exceed \$56,596, and

**WHEREAS,** on December 1, 2020, Aspire Technology Partners LLC, Eatontown, NJ was awarded an additional \$ 4,461 in excess of original award for battery replacement for the Plainfield campus, and

**WHEREAS,** the College has received Federal and State grant awards to cover costs associated with the disruption of campus operations due to the Coronavirus and this purchase has been identified as a cost that is reimbursable under such funding, and

**WHEREAS,** Aspire Technology Partners LLC, Eatontown, NJ has submitted a proposal under National Association of State Procurement Officials, (NASPO) contract #87720, to provide data networking equipment for optimizing network efficiency at a cost not to exceed \$27,719 for Fiscal Year 2020-2021, and

**WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

**WHEREAS,** NASPO utilized competitive bidding for the award of the contracts to Aspire Technology Partners LLC, Eatontown, NJ thereby releasing Union County College from the requirement to obtain Pay-to-Play documentation, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to Aspire Technology Partners LLC, Eatontown, NJ for data networking equipment at a cost not to exceed \$27,719 for a total award not to exceed \$830,866 for Fiscal Year 2020-2021.

**Resolution F021-031 - Online Tutoring Services**

**WHEREAS,** the College provides online tutoring services for students in the Educational Opportunity Fund (EOF) program to assist them with their academic curriculum progress, and in support of the mission of the College, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for an exception to the requirement for advertising for bids in the provision of goods and services for use, support, or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

**WHEREAS,** Georgetown Learning Centers Inc, DBA ThinkingStorm Online Tutoring, McLean, VA has submitted proposals for online tutoring services at a total cost not to exceed \$17,500 for Fiscal Year 2020-2021, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and

**WHEREAS,** Georgetown Learning Centers Inc, DBA ThinkingStorm Online Tutoring, McLean, VA has submitted a proposal not to exceed \$660 to provide online tutoring services for 30 hours at \$22.00 per hour for Fiscal Year 2020-2021, and

**WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

**WHEREAS,** the award to Georgetown Learning Centers Inc, DBA ThinkingStorm Online Tutoring, McLean, VA shall be subject to the college's receipt of properly

executed Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to the contract award, and that they will be prohibited from making any reportable contributions through the term of the contract, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to Georgetown Learning Centers Inc, DBA ThinkingStorm Online Tutoring, McLean, VA for online tutoring services at a cost of \$660 for a total award not to exceed \$18,160 for Fiscal Year 2020-2021.

**BE IT FURTHER RESOLVED** that the award of this contract is contingent on Union County College's receipt of properly executed Pay-to-Play documents from Georgetown Learning Centers Inc, DBA ThinkingStorm Online Tutoring, McLean, VA certifying that they have not made and will not make any reportable contributions to a political or candidate committee pursuant to N.J.S.A.19:44A-20.26 that would statutorily prohibit issuance of a purchase order or agreement execution.

**Resolution F021-032 - Respiratory Care Software Licenses**

**WHEREAS,** technology, including software licensing, is essential to the teaching and clinical functions of the Allied Health Division in support of the mission of the College, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

**WHEREAS,** C & S Solutions, Vincennes, IN submitted proposals not to exceed \$20,925 for respiratory care simulation software site licenses for the adult, pediatric, neonatal, therapist and clinical areas, and

**WHEREAS,** the New Jersey Local Unit Pay to Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that when the values of all contracts to a single vendor exceeds \$17,500 in the aggregate, that vendor is subject to the Pay-to-Play Law, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

**WHEREAS,** the award to C & S Solutions, Vincennes, IN shall be subject to the college's receipt of properly executed Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to the

contract award, and that they will be prohibited from making any reportable contributions through the term of the contract, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract to C & S Solutions, Vincennes, IN for Respiratory Care Software Licenses at a total cost of \$20,925 from February 1, 2021 through January 31, 2022.

**BE IT FURTHER RESOLVED** that the Board of Trustees of Union County College award a contract to C & S Solutions, Vincennes, IN subject to the College's receipt of properly executed Play-to-Play documentation certifying they have not made and will not make any reportable contributions to a political or candidate committee pursuant to N.J.S.A.19:44A-20.26 that would statutorily prohibit issuance of a purchase order or agreement execution.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolutions F021-028 through F021-032 for adoption.

#### **Contract to be Awarded Through a Bid or Request for Proposal**

##### **Resolution F021-033 - Automotive Training Equipment**

**WHEREAS,** the College requires automotive training equipment for training students in the Automotive Technology program in support of the mission of the College, and

**WHEREAS,** a Request for Quotation (RFQ) was advertised on the College's Vendor Opportunities Page for ten days starting January 8, 2021 for automotive training equipment, and

**WHEREAS,** ten (10) vendors reviewed the RFQ and one (1) vendor submitted a quotation on or before January 18, 2021, and

**WHEREAS,** JZA Training Systems, Inc., Bohemia, NY submitted the lowest responsible quote of \$27,782 for automotive training equipment for the Fiscal Year 2020-2021, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that this purchase is within the stated purpose and goals of the Carl D. Perkins Career and Technical Education Improvement Grant, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College ratify an award not to exceed \$27,782 to JZA Training Systems, Inc., Bohemia, NY for automotive training equipment for the Fiscal Year 2020-2021.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

**Resolution F021-034 - Material Testing Equipment**

**WHEREAS,** the College requires material testing equipment that measures the physical properties of strength, compression and flexibility of materials, which is essential for all engineering technology students, in support of the mission of the College, and

**WHEREAS,** a Request for Quotation (RFQ) was advertised on the College's Vendor Opportunities Page for ten days starting on January 8, 2021 for material testing equipment, and

**WHEREAS,** nine (9) vendors reviewed the RFQ and two (2) vendors submitted quotations on or before January 18, 2021, and

**WHEREAS,** Tinius Olsen Testing Machine Co., Horsham, PA submitted the lowest responsible quote of \$19,343 for material testing equipment for the Fiscal Year 2020-2021, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that this purchase is within the stated purpose and goals of the Carl D. Perkins Career and Technical Education Improvement Grant, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract not to exceed \$19,343 to Tinius Olsen Testing Machine Co., Horsham, PA for material testing equipment for the Fiscal Year 2020-2021.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

**Resolution F021-035 - Portable Mechanical Ventilator**

**WHEREAS,** the College has a need to provide a portable mechanical ventilator for training, especially during the COVID-19 pandemic, within the Allied Health Division, in support of the mission of the College, and

**WHEREAS,** a Request for Quotation (RFQ) was advertised on the College's Vendor Opportunities Page for ten days starting January 12, 2021 for a portable mechanical ventilator, and

**WHEREAS,** nine (9) vendors reviewed the RFQ and one (1) vendor submitted a quotation on or before January 22, 2021, and

**WHEREAS,** COVIDIEN LP DBA COVIDIEN SALES LLC., Mansfield, MA submitted the lowest responsible quote of \$33,397 for a portable mechanical ventilator for the Fiscal Year 2020-2021, and

**WHEREAS,** the Vice President of Financial Affairs and Treasurer has determined that this purchase is within the stated purpose and goals of the Carl D. Perkins Career and Technical Education Improvement Grant, and

**WHEREAS,** a Certification of Funds availability has been filed by the Vice President of Financial Affairs and Treasurer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College award a contract not to exceed \$33,397 to COVIDIEN LP DBA COVIDIEN SALES LLC., Mansfield, MA for a portable mechanical ventilator for the Fiscal Year 2020-2021.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

### **Surplus**

#### **Resolution F021-036 - Surplus Disposal**

**WHEREAS,** the County College Contracts Law, N.J.S.A.18A:64A-25.27 provides for the disposal of surplus personal property no longer needed for College purposes, and

**WHEREAS,** the College has determined that the attached list of items should be declared surplus, obsolete and unusable property (Exhibit I), and

**WHEREAS,** the total fair value of the property (Exhibit I) is approximately **\$88**;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union County College declares surplus, obsolete, unusable and not needed for College purposes the property listed in Exhibit I, and

**BE IT FURTHER RESOLVED** that College officials be authorized to dispose of the surplus, obsolete, unusable property listed in Exhibit I in accordance with the County College Contracts Law and the Union County College Purchasing Policies.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

### **BUILDINGS AND GROUNDS**

Mr. Katz reported that there were no changes to the Project Prioritization List.

#### **Cell Tower Update**

Mr. Katz stated that the most recent meeting was on held on January 20, 2021 where the dissenting attorney asked about alternate locations which include the area near the gym and the

land between MacDonald Hall and MacKay Library. He stated that the College had provided to Verizon, at their request, a letter stating that the College would not be able to lease to Verizon Lots 5A&B and the surrounding areas in the back of the College. This letter was presented into the record. Mr. Katz reported that the following concerns were discussed during public comment:

- Decline in property values.
- No coverage gap; reception was fine.
- College not having proven safety concerns.
- Potential issues related to proximity to “historic eligible” sites (Sperry Observatory and Fairview).

The next meeting is February 22, 2021 for attorney summation and there is a meeting after that on March 22, 2021 for summation and decision.

Mr. Katz also reported that the College will receive a check in the amount of \$50,395.97 to reimburse the College for costs incurred with respect to the remediation and oil tank issue with HSB parking lot. He stated that this is a pooled settlement involving those that originally stated that there was no UST’s at Plainfield site.

#### **OPEN MEETING TO THE PUBLIC**

No one came forward to speak.

#### **UNFINISHED BUSINESS**

On motion duly made by Mr. Castro, seconded by Mrs. Zimmermann and unanimously carried, the Board ratified all actions taken at the Joint Board of Governors and Trustees that immediately preceded this Trustees Meeting, and that the Minutes of the Joint Meeting shall be appended to and made part of these Trustee Minutes.

#### **NEW BUSINESS**

There was no new business to report.

#### **ADJOURNMENT**

With no further business on the agenda, a motion for adjournment was made by Mr. Castro and seconded by Mr. Connolly at 8:10 p.m.