

**UNION COLLEGE
OF UNION COUNTY, NEW JERSEY**

**BOARD OF TRUSTEES
Minutes of Meeting
November 6, 2023**

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 6:11 p.m. in the Executive Education Center on the Cranford Campus. The following were in attendance:

TRUSTEES

Mr. Richel; Rafael J. Betancourt, Esq.; Daniel J. Connolly; Miguel A. Figueredo; Jeffrey H. Katz, Esq.; Anjali Mehrotra; Dr. Kamran Tasharofi; Mary M. Zimmermann; Krystal Villalobos; Dr. Margaret M. McMenamin, President.

GOVERNORS

Brian Campbell; Jim Della Sala; Stephen F. Hehl, Esq.; John Richel; John Toriello; Allan L. Weisberg.

ALSO PRESENT

Denise Collins; Michael M. Horn, Esq., McCarter English; Dr. Jaime M. Segal.

A quorum of the Board of Trustees was present.

OPEN PUBLIC MEETING ACT

Completed.

MINUTES

On motion duly made by Mr. Betancourt and seconded by Mr. Katz, the Minutes of the Meeting of the Board of Trustees of September 19, 2023 were approved as submitted.

COMMUNICATIONS

Dr. Segal reported that two communications were received: A letter of resignation from Board of Governors member, Tamecka Dixon and a letter from PSE&G regarding remediation in the area near the Plainfield Campus.

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INSIDE THE COLLEGE

Dr. Lown presented a review of Standard I – Mission, Vision, and Values - in preparation for the Middle States Commission on Higher Education visit in 2025.

Dr. Hargrove presented a clip from our episode of “The College Tour”, where Union students shared their experiences and stories. Union is the first community college in New Jersey to be featured in this series which will stream on Amazon Prime and Apple TV.

REPORT OF THE PRESIDENT

Dr. McMenamin addressed the members of the Boards highlighting some of the events that have taken place at the College over the past month:

- In October, the College celebrated its 90th Founders Day with an event outside of the Victor M. Richel Student Commons.
- Ten Union students shared their experiences and stories for Union's episode of The College Tour, a streamed series airing on Amazon Prime, Apple TV and more.
- Union students and staff accompanied Dr. McMenamin to the 37th Annual Conference of the Hispanic Association of Colleges (HACU) held in Chicago.
- Professor Heidary accepted the 2023 Northeast Region Faculty award at the 2023 Association of Community College Trustees (ACCT) Leadership Congress held in Las Vegas.
- On October 20, the Union County College Foundation hosted its 31st Annual Scholarship Gala raising more than \$200,000.
- Union students Camila Taddeo and Maryann Ossai were selected as 2023 Coca-Cola Leaders of Promise, each receiving \$1,000 scholarship.
- Board of Trustee member, Dr. Kamran Tasharofi was honored by the Center for Hope Hospice at their 40th Gala.

Dr. McMenamin stated that the College was notified for that the third consecutive time we have been named in the top 150 community colleges in America by the Aspen Institute for College Excellence, and we have been invited, once again, to apply for the \$1 million Aspen Prize. In addition to working on the Aspen application, Dr. McMenamin stated that we are beginning the multi-year process of applying for the Excellencia Seal which is a seal that is given to high performing Hispanic-Serving Institutions.

Dr. McMenamin commented that we have seen none of the protests or problems associated with the war in the Middle East. We have a zero tolerance for violence and bigotry. She stated that the goal of the College is to create an oasis of safety and inclusion.

In closing, Dr. McMenamin stated that we continue our mission of transforming our community one student at a time, and we rely on the support of these Boards to accomplish that mission. She thanked everyone for their volunteer service, for support of our students and our College, and her presidency.

REPORTS OF JOINT TRUSTEES AND GOVERNORS' COMMITTEES

MARKETING COMMITTEE

Mr. Hehl reported that at the Marketing Committee met earlier in the month via Webex. He stated that the meeting consisted of a presentation with content from College Relations, Admissions, and our external advertising partner, SGW.

The presentation focused on efforts since the last meeting in May which included the tactics and results of the fall enrollment campaign. Mr. Hehl reported that this fall is the first time in quite a while that the final enrollment numbers were in the positive, up 4% in student headcount and up 2.8% in credit hours. The committee reviewed social media updates; Google analytics; the

filming of “The College Tour,” which we all just saw some clips from; a collaboration with the State to re-engage former students who have stopped attending; text campaigns; and the ads and tactics used by SGW to promote the June Open House and fall enrollment. Mr. Hehl stated that it was a positive meeting which many of the Committee members were able to attend, and there was a good dialog about the efforts being made to increase enrollment.

EDUCATIONAL PLANNING AND POLICY COMMITTEE

Mrs. Zimmermann reported to the Board that at the Educational Planning and Policy meeting held earlier, Dr. Lown reported that with the rapid evolution of technology, notably artificial intelligence (AI), it is disrupting higher education, transforming teaching methods, and changing the way students access and engage with educational content. She also stated that Dr. Ziner provided the survey results of the Fall 2023 Enrollment Report. Mrs. Zimmermann reported that enrollment for Fall is +3.6 in FTE hours.

Mrs. Zimmermann submitted the following Resolutions for approval:

Resolution E024-001 - Staff Personnel Actions

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

Appointments:

Krishna Janakiraman, Academic Specialist, Computer Science, Academic Affairs, effective September 5, 2023, \$75,000 per annum.

Maria Avila, 1st Shift Custodian, Finance & Operations, effective September 18, 2023, \$35,360 per annum.

Wayne Bass, Jr., Grounds Personnel, Finance & Operations, effective September 18, 2023, \$39,755 per annum.

Jose Seghessi, 2nd Shift Custodial Lead, Finance & Operations, effective September 18, 2023, \$50,080 per annum.

Katelyn Snyder, Assistant Director of Academic Learning Center, Academic Affairs, effective September 25, 2023, \$62,000 per annum.

Julia Kulesa, Academic Specialist and Program Director, Paramedic Program, Academic Affairs, effective October 1, 2023, \$90,000 per annum.

Matthew Moroney, Student Services Specialist, Student Development, effective October 2, 2023, \$53,000 per annum.

John Conlon, 1st Shift Custodian, Finance & Operations, effective October 9, 2023, \$35,360 per annum.

Nicholas Ramjattan, Associate Director of Student Accounts, Student Development, effective October 9, 2023, \$75,000 per annum.

Nicole Alzate, Student Services Specialist, Social Worker, Student Development, effective October 16, 2023, \$53,000 per annum.

Christopher DeGisi, Maintenance Mechanic Helper, Finance & Operations, effective October 16, 2023, \$39,755 per annum.

Heather Petracco, Student Services Specialist, Social Worker, Student Development, effective October 16, 2023, \$53,000 per annum.

Devon Stanberry, Coordinator of Fitness Center, Intramurals, and Equipment, Student Development, effective October 16, 2023, \$51,000 per annum.

Christopher Villalta, Student Services Generalist, Student Development, effective October 23, 2023, \$44,600 per annum.

Albania Lopez, 3rd Shift Custodian, Finance & Operations, effective October 30, 2023, \$38,480 per annum.

Sophia Adderley, Student Services Generalist, Student Development, effective November 6, 2023, \$44,600 per annum.

Robert Dochnahl, Academic Specialist, Respiratory Care, Academic Affairs, effective November 6, 2023, \$90,000 per annum.

Alexandrina Pando, Senior Accountant, Finance & Operations, effective November 6, 2023, \$73,000 per annum.

Andre Rivers, Student Services Generalist, Student Development, effective November 6, 2023, \$44,600 per annum.

Promotions/Reclassifications:

Agnieszka Drupka, Senior Analyst of Institutional Research, from Analyst of Institutional Research, Administrative Services, effective September 1, 2023, \$77,380 per annum.

Dennys Espinoza, Assistant Dean of Humanities, from Special Assistant to the Dean of Curriculum & Accreditation, Academic Affairs, effective September 1, 2023, \$83,000 per annum.

Marlene Loff, Director of CEWD, from Coordinator (Grant & Contract Programs/Grant Director), Administrative Services, effective September 1, 2023, \$92,000 per annum.

Tiffany Douglas, Coordinator of Social Work Services, from Student Services Specialist, Social Worker, Student Development, effective October 1, 2023, \$65,000 per annum.

James Fyfe, Grounds Personnel, from Maintenance Mechanic Helper, Finance and Operations, effective October 16, 2023, \$41,146 per annum.

Melissa Guillen, Human Resources Generalist, Recruiting, from Student Services Specialist, Finance and Operations, effective October 16, 2023, \$58,000 per annum.

Frances Saulino, Student Services Specialist, Center for Adult Transition, from Student Services Generalist, Student Development, effective October 16, 2023, \$53,000 per annum.

Employment Separations:

Wayne Bass, Jr., Grounds Personnel, Finance & Operations, effective September 26, 2023.

Nora Bruno, Laboratory Technician, Academic Affairs, effective October 4, 2023.
Jorge Fernandez, Admissions and Enrollment Generalist, Student Development, effective October 5, 2023.

Albert Justiniano, Student Services Associate, Student Development, effective October 5, 2023.

Valerie Batista, Associate Director of Admissions, Student Development, effective October 13, 2023.

Hemlata Patel, Senior Grant Accountant, Finance & Operations, effective October 13, 2023.

Carmen Avila, 2nd Shift Custodian, Finance & Operations, effective October 16, 2023.

Cloteal Webb, Student Services Associate, Student Development, effective October 16, 2023.

Nancy Arana, Student Services Associate, Student Development, effective October 30, 2023.

Monique Blackmon-Johnson, Division Secretary, Allied Sciences, Academic Affairs, effective November 3, 2023.

Dr. Victoria Ukachukwu, Dean of Plainfield Campus and Allied Sciences, Academic Affairs, effective November 22, 2023

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

Resolution E024-002 - AAUP Successor Collective Negotiations Agreement

WHEREAS, the agreement between Union College of Union County, New Jersey (“College”) and the Union County College Chapter of the American Association of University Professors (“AAUP”) expired on August 31, 2021, and

WHEREAS, the College and the AAUP have reached an agreement on a four (4) year contract for the period of September 1, 2021 to August 31, 2025, with an adjustment to base salaries and an increase of 3.5% to base salary and grade minimums for each year of the agreement, and

WHEREAS, the revised agreement reflects: the elimination of language pertaining to transmission sites; a 10% increase in the overload rate of pay and other classroom-related rates of pay; adjustments to minima for licensed practical nursing faculty to reflect the extended academic year; modification to terms and conditions of employment for Academic Specialists; and other wording changes for clarity and administrative purposes, and

WHEREAS, on October 5, 2023, the AAUP ratified the Memorandum of Agreement to a successor collective negotiations agreement with the College for the period of September 1, 2021 to August 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ approves the contract with the Union County College Chapter of the American Association of University Professors for the period of September 1, 2021 to August 31, 2025.

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

Resolution E024-003 - College Policies

WHEREAS, Union College of Union County, NJ, as a comprehensive community college, has college-wide policies to ensure compliance with policy objectives and accountability, and

WHEREAS, a College policy is a prescribed institutional course of action, a guiding principle, or a procedure intended to enhance strategic goals; reduce institutional risks; improve internal controls; establish delegation of authority and responsibility; promote compliance with federal, state and other applicable laws and regulations; further operational alignment, consistency, or efficiency; and/or influence and determine decisions, actions, conduct, and other matters at the College, and

WHEREAS, the College’s Policy on Policies sets forth that the Board of Trustees or the President serve as the “Approval Authority” for College-wide policies, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ approves the revisions to the following policies attached as Exhibit 1: 600-1 Americans with Disabilities Act, 600-2 Code of Ethics Policy, 600-4 Conscientious Employee Reporting Protection Policy, 600-5 Consensual Amorous Relationships Policy, and 600-6 Illegal Gambling Policy.

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

SAFETY REPORT

Dr. McMenamin stated that in compliance with N.J.S.A. 18A:3B-71 requiring reporting of campus crimes and fire incidents for the period from August 28, 2023 October 17, 2023, Public Safety advises that there were no incidents to report.

BUDGET AND FINANCE COMMITTEE

Mr. Connolly stated that the Budget and Finance Committee met earlier and 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 and stated revenue is up slightly due to the following:

- Increase in enrollment for Summer II and Fall 2023 which impacted the student receivable balance as well as the variable compensation for instruction.
- Timing of disbursements for financial aid and payables year over year.
- The increase in payable to other includes: negotiated AAUP contract accruals and timing differences.
- The State increased the amount of operating aid available to community colleges.

Current Estimate Report:

Mr. Connolly stated also reviewed was the Current Estimate Report and reported that at this time, a transfer to Unrestricted Net Position of \$2.7 million is anticipated for fiscal year ended June 30, 2024.

President's Expense Reports:

M. Connolly stated that the President's Expense Reports were reviewed, and all information was found to be in order.

Mr. Connolly presented the following Resolutions for approval:

Grant Resolutions:

Resolution F024-001 - County of Union Workforce Innovation and Opportunity Act Funding

WHEREAS, Union College of Union County, New Jersey, as a comprehensive community college, seeks to provide career occupational training programs designed to assist

adult and dislocated worker employment and training activities for eligible residents of the County of Union (the County) and support the development of a strong globally competitive labor force, targeting the key growth sectors within New Jersey, and

WHEREAS, the College applied to the County for Workforce Innovation and Opportunity Act (WIOA) funding to coordinate the Workforce Innovation Business Center (WIBC) to operate as an American Job Center Affiliate (AJCA) Career Service Center to provide job search, training, and job development services to eligible residents of the County to meet the needs of business by supporting local businesses and organizations in their recruitment of employees according to grant requirements, and

WHEREAS, local employers will be able to leverage the resources of the College's occupational and workforce initiatives which will be carried out through the College's Center for Economic and Workforce Development (CEWD), the Industry Business Institute (IBI), and the Department of Continuing Education, and

WHEREAS, an agreement was proposed by the County whereby the College would take the lead on providing training that will support employers in health care, life sciences, financial services, advanced manufacturing, transportation, logistics and distribution, technology, entrepreneurship, retail, hospitality and tourism. The College has been selected by the County as the grant recipient and administrative entity for Workforce Innovation and Opportunity Act (WIOA) funding, and

WHEREAS, the County approved, and the College received notification on September 14, 2023, that funding in the amount of \$500,000 was awarded for the period June 1, 2023, to June 1, 2024, which is allocated as follows: \$350,000, WIOA Dislocated Worker, and \$150,000, WIOA Adult;

NOW, THEREFORE, BE IT RESOLVED, the Board of Trustees of Union College of Union County, New Jersey accepts \$500,000 in Workforce Innovation and Opportunity Act (WIOA) funding from the County of Union under the Workforce Innovation and Opportunity Act (WIOA) for the fiscal period June 1, 2023, to June 1, 2024.

Resolution F024-002 - New Jersey Pathways to Career Opportunities Initiative

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

WHEREAS, New Jersey's Community Colleges and the New Jersey Business and Industry Association (NJBIA) have come together to launch a transformational initiative designed to align the State's educational system to build an innovative workforce. The New Jersey Pathways to Career Opportunities Initiative will align employers,

industry associations, labor unions, educational institutions, and workforce development partners to provide students and workers with the career pathways they need to find new careers and opportunity, and to ensure that employers have access to a highly skilled workforce to meet critical labor market needs, and

WHEREAS, the initiative focuses on ten career areas through Centers of Workforce Innovation to build pathways with aligned curriculum shared across educational partners to serve the learning lifespan of students and workers to build an innovative workforce centering around four industries: Health Services, Technology and Innovation, Infrastructure and Energy and Manufacturing and Supply Chain Management, and

WHEREAS, the College was awarded \$15,714 on February 21, 2022 to participate in the planning phase of the New Jersey Pathways to Career Opportunities Initiative for Patient Care and Supply Chain Logistics, and \$149,000 on June 30, 2022 to participate in the first year work phase of the New Jersey Pathways to Career Opportunities Initiative for Patient Care and Supply Chain Logistics from the New Jersey Community College Consortium for Workforce and Economic Development, and the Board of Trustees accepted this funding at the June 21, 2022 and September 20, 2022, Board Meetings respectively, and

WHEREAS, on September 18, 2023, the College was notified that it was awarded the amount of \$181,820 from the New Jersey Community College Consortium for Workforce and Economic Development for the College to participate in the second-year work phase of the New Jersey Pathways to Career Opportunities Initiative for Patient Care and Supply Chain Logistics;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey accepts the funding of \$181,820 from the New Jersey Community College Consortium for Workforce and Economic Development for the New Jersey Pathways to Career Opportunities Initiative for Patient Care and Supply Chain Logistics.

Resolution F024-003 - College Readiness Now X Grant

WHEREAS, Union College of Union County, New Jersey, 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 New Jersey Office of the Secretary of Higher Education (OSHE). The program's priority is to identify students in the 9th through 12th 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 College of Union County, New Jersey received notification from the New Jersey Council of County Colleges (NJCCC) that \$63,778 was approved for the College Readiness Now X Grant for the period July 1, 2023, to June 30, 2024, and

WHEREAS, the College will partner with Linden High School and Union Township High School to recruit juniors and seniors for an online English 101 Accelerated Learning Program (ALP) and provide tuition for 68 students. The College will offer a classic bridge program in English as well as Summer College that will be open to all Union County high school students. The College will include a modified approach to an Accelerated Learning Program (ALP) by embedding tutors in the courses, allowing students the opportunity to develop relationships with the tutors throughout the semester, providing social support and a sense of belonging in addition to academic support;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey accepts \$63,778 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 July 1, 2023, to June 30, 2024, for the College Readiness Now X Grant.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved Resolutions F024-001 through F024-003 for adoption.

Contracts Exempt from Competitive Bidding

Resolution F024-004 - Professional Development Program Services

WHEREAS, the College has a need for higher education consultants to implement a state-of-the-art online professional development program to increase faculty effectiveness, strengthen course instruction and further enhance 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.(15) provides an exception to the requirement of advertising for bids for professional consulting services, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides 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, EdCERT, LLC DbA ACUE, New York, NY the Association of College and University Educators (ACUE), New York, NY has submitted a proposal not to exceed \$50,000 to provide an online professional development program for a cohort of up to thirty-five (35) faculty and staff commencing November 2023 through December 2024, 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 Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, EdCERT, LLC Dba ACUE, New York, NY has completed and submitted their Business Entity Disclosure and a Political Contribution Disclosure Certification, 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 that they will be prohibited from making contributions through the term of the contract, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to EdCERT, LLC Dba ACUE, New York, NY for an online professional development program from November 2023 through December 2024 at a total cost not to exceed \$50,000.

Resolution F024-005 - Temporary Staffing Services

WHEREAS, vacancies find the College in need of additional temporary staffing to ensure ongoing functionality, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(20) provides for awarding of contracts for personnel recruitment and advertising, without public competitive bids, and

WHEREAS, on June 20, 2023, the Board of Trustees of Union College of Union County, New Jersey awarded a contract to Robert Half International, Inc., San Ramon, CA for temporary staffing services at a total cost not to exceed \$35,000, and

WHEREAS, Robert Half International, Inc., San Ramon, CA has submitted a proposal for temporary staffing services at a cost not to exceed \$40,000 through June 30, 2024, 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 Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Robert Half International, Inc., San Ramon, CA, has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, that certify that they have not made any reportable contributions to a political or candidate committee in the one year previous to the 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 Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Robert Half International, Inc., San Ramon, CA for temporary staffing services at a cost not to exceed \$40,000 for the Fiscal Year 2023-2024, for a total award not to exceed \$75,000 for Fiscal Year 2023-2024.

Resolution F024-006 - Electronic Portfolio Software Licensing and Support

WHEREAS, the College has a need for software that will create an electronic collection of a student's achievements, credentials, and past work history to enhance student learning outcomes, in support of the mission of the College, and

WHEREAS, the County College Contracts law N.J.S.A. 18A:64A-25.10 provides that the Board of Trustees of two or more county colleges may provide jointly by agreement for the purchasing of work, materials or supplies for their respective colleges, and county colleges may enter agreements with other institutions of higher education or with other units of government pursuant to the "Local Public Contract Law", 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 20, 2023, the Board of Trustees of Union College of Union County, New Jersey awarded a contract to Instructure, Inc., Salt Lake City, UT to continue provision of the Canvas learning management system at a total cost not to exceed \$1,328,460 from July 1, 2023 through June 30, 2028, and

WHEREAS, Instructure, Inc., Salt Lake City, UT has submitted a proposal under contract # 19/20 R-591 through the New Jersey County College Joint Purchasing Consortium (JPC) for electronic portfolio software licensing and support at a cost not to exceed \$15,444, and

WHEREAS, the cost for electronic portfolio software licensing and support for the period of November 15, 2022 through November 14, 2023 is \$18,920, 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 Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to Instructure, Inc., Salt Lake City, UT for electronic portfolio software licensing and support at a total cost not to exceed \$15,444 for a total award not to exceed \$281,136 for Fiscal Year 2023-2024.

Resolution F024-007 - External Network Penetration Testing and Software Licenses

WHEREAS, the College requires external network penetration testing for all college platforms to evaluate the security of the system for identification of potential vulnerabilities and Jamf software licenses to authenticate and manage Apple users and devices, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.11a. provides for awarding contracts without public competitive bids when there is a state recognized and accepted cooperative agreement for the product or service that has been publicly bid, 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, SHI International Corp., Somerset, NJ has provided hardware equipment at a cost of \$1,369 for Fiscal Year 2023-2024, which was under the threshold for the "Report of Authorized Payments in Excess of Original Award", and which did not require Board of Trustee approval, and

WHEREAS, on June 20, 2023, the Board of Trustees of Union College of Union County, New Jersey awarded a contract to SHI International Corp., Somerset, NJ for annual renewal of software licenses, network maintenance and HP color laser jet printers and supplies for \$402,987 for Fiscal Year 2023-2024, and

WHEREAS, SHI International Corp., Somerset, NJ has submitted a proposal for external network penetration testing at a cost not to exceed \$20,315 for Fiscal Year 2023-2024, and

WHEREAS, SHI International Corp., Somerset, NJ has also submitted a proposal under NJ Edge.Net, Inc. under contract #269EMCPS-21-001-EM-SHI for Jamf software licenses to authenticate and manage Apple users and devices, at a cost not to exceed \$5,796 for Fiscal Year 2023-2024, and

WHEREAS, the cost for external network penetration testing and Jamf software licenses for Fiscal Year 2022-2023 was \$19,160 and \$5,796 respectively, 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 Finance and Operations has determined that the total contract awards will exceed \$17,500, and

WHEREAS, SHI International Corp., Somerset, NJ 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 before their contract award, and that they will be prohibited from making any reportable contributions through the term of the contract, and

WHEREAS, NJ Edge.Net, Inc. utilized competitive bidding for the award of the contracts to SHI International Corp., Somerset, NJ thereby releasing Union College of Union County, New Jersey from the requirement to obtain Pay-to-Play documentation, and

WHEREAS, a Certification of Funds availability has been filed by the Vice President of Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts to SHI International Corp., Somerset, NJ for external network penetration testing and software licenses at a cost not to exceed \$20,315 and \$5,796 for Fiscal Year 2023-2024, for a total award not to exceed \$430,844 for Fiscal Year 2023-2024.

Resolution F024-008 - Spend \$17,500-\$41,600

WHEREAS, there exists a need throughout the College for goods or services, and

WHEREAS, the attached purchases of goods and services are under the bid threshold of \$41,600, 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 Finance and Operations has determined that the individual contracts will exceed \$17,500, and

WHEREAS, the vendors provided information that exhibited compliance with the Pay-to-Play Law, N.J.S.A. 19:44A-20.4 et seq., or the contracts were arrived at through an open and fair process thereby releasing Union College of Union County, New Jersey from the requirement to obtain such documentation, and

WHEREAS, the Vice President of Finance and Operations certifies that sufficient funds are available for the goods and services;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts and ratify an award between \$17,500 and \$41,600 to the listed vendors for a total spend of \$24,217.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved Resolutions F024-004 through F024-008 for adoption.

Resolution F024-009 - 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 \$2,990;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey 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 College of Union County, New Jersey Purchasing Policies.

On motion duly made by Mr. Connolly, seconded by Mr. Katz 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 reported that there has been no update regarding the cell tower due to the unexpected passing of the attorney representing Cranford.

Campus Projects:

Mr. Katz reported on the updates to the Kellogg Building as well as the various projects on all campuses.

OPEN MEETING TO THE PUBLIC

No one rose to address the Board.

UNFINISHED BUSINESS

There was no unfinished business to report.

NEW BUSINESS

Mr. Richel stated that the next meeting, the last meeting of this calendar year, will be a Joint Board Meeting on Tuesday, December 12th in Cranford.

Dr. Segal will be taking orders for caps & gowns for Winter Commencement which will be on Thursday, January 11 at the UCPAC in Rahway with ceremonies at 2:30 p.m. and 6:00 p.m.

EXECUTIVE SESSION

Mr. Betancourt read the following Resolution:

Resolution PT024-001 - Resolution Authorizing a Closed Session of the Board of Trustees of Union College of Union County, NJ

WHEREAS, the Board of Trustees of Union College of Union County, NJ are subject to New Jersey's Open Public Meetings Act; and

WHEREAS, the Open Public Meetings Act generally requires that all meetings of public bodies be open to the public but that the public may be excluded from a portion of a meeting at which items requiring confidentiality are to be discussed as enumerated in N.J.S.A. 10:4-12b; and

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of the College, pursuant to the Open Public Meetings Act that:

1. The Board of Trustees of Union College shall hold a closed meeting on November 6, 2023 from which the public shall be excluded.
2. The Executive Session will convene at approximately 6:50 p.m. and is expected to last until approximately 7:10 p.m.
3. The Board of Governors is invited to attend this meeting.
4. The general nature of the subjects to be discussed at said closed meeting involves potential litigation.
5. The Minutes of said closed meeting shall be made available for disclosure to the public consistent with N.J.S.A.10:4-14, when the item which is the subject of the closed session is resolved and a reason for confidentiality no longer exists.

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

The meeting went into Executive Session and the meeting resumed at 7:16 p.m.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Mrs. Zimmermann, seconded by Mr. Connolly at 7:16 p.m.