

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

**BOARD OF TRUSTEES  
Minutes of Meeting  
December 12, 2023**

**CALL TO ORDER**

The meeting was called to order by Victor M. Richel, Chair, at 6:33 p.m. in the Executive Education Center on the Cranford Campus. The following were in attendance:

**TRUSTEES**

Mr. Richel; Rafael J. Betancourt, Esq.; George A. Castro, II; Daniel J. Connolly; Jeffrey H. Katz, Esq.; Anjali Mehrotra; Daryl Palmieri; Dr. Kamran Tasharofi; Mary M. Zimmermann (via phone); Dr. Margaret M. McMenamin, President.

**GOVERNORS**

Jim Della Sala; Ryan J. Greco; Stephen F. Hehl, Esq.; Donna M. Herran; Gary S. Horan; J. Anthony Manger, Esq.; Carl J. Napor; Sandra D. Rice; 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. Castro and seconded by Dr. Tasharofi, the Minutes of the Meeting of the Board of Trustees of November 6, 2023 were approved as submitted.

**COMMUNICATIONS**

Dr. Segal reported that there were no communications to report.

**REPORTS OF JOINT TRUSTEES AND GOVERNORS' COMMITTEES**

**EDUCATIONAL PLANNING AND POLICY COMMITTEE**

Mr. Betancourt reported to the Board that at the Educational Planning and Policy meeting held earlier, Dr. Lown reported that this year eleven UCNJ students participated in the HACU ;Adelante! Leadership Institute in Chicago. He also reported that Dr. Ziner provided the survey results of the class of 2023, which included graduates from December 2022 and April 2023. Mr. Betancourt stated that enrollment for winter is +18.1 in FTE hours and enrollment for spring is +4.3 in FTE hours.

Mr. Betancourt submitted the following Resolutions for approval:

**Resolution E024-005 - Faculty Personnel Actions**

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

**Appointment**

Dr. Sohal Hallur, Professor, Physical Therapist Assistant (PTA), Academic Affairs, effective November 16, 2023, \$111,605 per annum.

**Retirement**

Dr. Beth Rothman, Senior Professor, Institute of Intensive English, Academic Affairs, effective December 31, 2023.

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

**Resolution E024-006 - Staff Personnel Actions**

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

**Appointments:**

Agnieszka Blazon, Academic Specialist and Director of Clinical Education, Respiratory Care, Academic Affairs, effective November 20, 2023, \$90,000 per annum.

Hunter Ayala, Student Services Generalist, Student Development, effective November 27, 2023, \$44,600 per annum.

Jane Mebes, Student Services Generalist, Student Development, effective November 27, 2023, \$44,600 per annum.

Tyreese Wicker, 3<sup>rd</sup> Shift Custodian, Finance & Operations, effective November 27, 2023, \$37,440 per annum.

Michelle Worden, 2<sup>nd</sup> Shift Custodian, Finance & Operations, effective November 27, 2023, \$37,440 per annum.

**Employment Separations:**

Tania Scott, Student Services Associate, Student Development, effective November 28, 2023.

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

**Resolution E024-007 - 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: 300-3 Athletic Uniform Jersey Retirement Policy, 300-14 Graduation Policy, 300-18 Issuing 1098T Forms Policy, 300-22 Payment Policy, 300-37 Student Code of Conduct Policy, and 300-40 Tuition Payment Plan Policy.

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

**SAFETY REPORT**

Dr. McMenamin stated that in compliance with the Cunningham – Ruiz Law (S485, codified at N.J.S.A. 18a:3B-71) requiring reporting of campus crimes and fire incidents for the period of October 18, 2023 to November 20, 2023, Public Safety advises that there was one incident, an act of alleged vandalism to property on the Cranford campus between two persons known to one another. This incident is under investigation by the Cranford Police Department.

**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. He stated that the College is exploring other banking institutions and will be moving funds accordingly

**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, tuition revenue 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.

- There were increases in full-time compensation, toward the end of fiscal year 2023.
- The State increased the amount of operating aid available to community colleges.

**Current Estimate Report:**

Mr. Connolly stated that also reviewed was the Current Estimate Report and reported that at this time, a transfer to Unrestricted Net Position of \$3.3 million is anticipated for fiscal year ended June 30, 2024.

Mr. Connolly presented the following Resolutions for approval:

**Resolution F024-010 - Designation of Public Agency Compliance Officer**

**WHEREAS,** N.J.A.C. 17:27-3.1 requires that “no public agency shall award a contract or pay money to any contractor or subcontractor which has not agreed and guaranteed to afford equal employment opportunity in performance of the contract in accordance with an affirmative action program and, except with respect to affectional or sexual orientation, approved under the terms established in these rules,” and

**WHEREAS,** N.J.A.C. 17:27-3.3 requires that “Each public agency shall annually designate an officer or employee, who may be an existing officer or employee, to serve as its public agency compliance officer and shall notify the Division of the designation by January 10th of each year,” and

**WHEREAS,** Mark G. Anderson, Director of Purchasing, is the designated Union College of Union County, New Jersey Contracting Agent and the current Public Agency Compliance Officer;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union College of Union County, New Jersey re-appoint Mark G. Anderson, Director of Purchasing, as the Union College of Union County, New Jersey Public Agency Compliance Officer for the calendar year 2024.

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

**Grant Resolution:**

**Resolution F024-011 - Strengthening Career and Technical Education for the 21<sup>st</sup> Century Grant (“Perkins”)**

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

**WHEREAS,** the Strengthening Career and Technical Education for the 21<sup>st</sup> Century Grant 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 November 2, 2023, 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, 2024, principally covering related personnel, materials and supplies, instructional equipment, travel, and other costs, and

**WHEREAS,** pursuant to Education Department General Administrative Regulations (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, 2023, 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 that eligible recipient's governing body formally accept all funds awarded under the Strengthening Career and Technical Education for the 21<sup>st</sup> Century Grant, and

**WHEREAS,** on November 3, 2023, the State of New Jersey, Department of Education notified Union College of Union County, New Jersey that its Perkins application was awarded and "approved" for the amount of \$901,972;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Union College of Union County, New Jersey accepts \$901,972 in funding from the State of New Jersey, Department of Education for the Strengthening Career and Technical Education for the 21<sup>st</sup> Century Grant for the fiscal year ending June 30, 2024.

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

### **Contracts Exempt from Competitive Bidding**

#### **Resolution F024-012 - Maintenance Network Battery Back-Up Unit - Kellogg Building**

**WHEREAS,** the College requires maintenance of the network battery back-up unit at the Kellogg Building, 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,** on June 20, 2023, the Board of Trustees of Union College of Union County, New Jersey awarded a contract to Aspire Technology Partners, LLC, Eatontown, NJ for annual renewal of software licenses, network maintenance, printers and supplies for \$335,493 for Fiscal Year 2023-2024, and

**WHEREAS,** Aspire Technology Partners, LLC, Eatontown, NJ has submitted a proposal for maintenance of the network battery back-up for the Kellogg Building at a cost not to exceed \$9,042 for Fiscal Year 2023-2024, 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,** 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 Aspire Technology Partners, LLC, Eatontown, NJ for maintenance of the network battery back-up for the Kellogg Building at a cost not to exceed \$9,042 for a total award not to exceed \$344,535 for Fiscal Year 2023-2024

**Resolution F024-013 - Replacement Classroom Projectors**

**WHEREAS,** there is a need for replacement classroom projectors throughout the College as they are a necessary component of the technological environment to promote engagement, student success and teaching functions, 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 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-25.11.a. 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 College solicited six quotes on accessible cooperative contracts for the replacement classroom projectors, and four quotes were received, and

**WHEREAS,** B&H Foto & Electronics Corp., New York, NY has provided the lowest responsible quote under Hunterdon County Educational Services Commission (HCESC) #23-07 for fifty (50) Epson Powerlite projectors with built-in wireless networking to replace end of life classroom projectors throughout the College at a cost not to exceed \$50,750, and

**WHEREAS,** B&H Foto & Electronics Corp., New York, NY has provided audio visual equipment at a cost of \$5,400 for Fiscal Year 2023-24 which was under the threshold of \$17,500 and did not require Board of Trustees approval, 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 value 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 the total contract award to B&H Foto & Electronics Corp., New York, NY will exceed \$17,500, and

**WHEREAS,** HCESC utilized competitive bidding for the award of the contract to B&H Foto & Electronics Corp., New York, NY, 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 a contract for replacement classroom projectors to B&H Foto & Electronics Corp., New York, NY at a cost of \$50,750.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolutions F024-012 and F024-013 for adoption.

#### **BUILDINGS AND GROUNDS**

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

Mr. Katz presented the following Resolution for approval:

#### **Resolution B024-001 - HVAC Repair and Replacement MacKay Library-Cranford Campus**

**WHEREAS,** the College requires HVAC repair and replacement of the (2) two fifty-ton roof top units on the MacKay Library-Cranford campus, in support of the mission of the College, and

**WHEREAS,** the County College Contracts Law, N.J.S.A. 18A:64A-25.11.a. authorizes County Colleges to be a participating contracting unit in a cooperative pricing system established pursuant to the laws of the State of New Jersey, and

**WHEREAS,** McCloskey Mechanical Contracts, Inc., Blackwood, NJ submitted a proposal under Hunterdon County Educational Service Commission (HCESC) contract # HCESC-SER-21A at a cost not to exceed \$693,378 for HVAC Repair and Replacement for the MacKay Library-Cranford Campus, 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,** HCESC utilized competitive bidding for the awards of contracts to McCloskey Mechanical Contracts, Inc., Blackwood, 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 a contract to McCloskey Mechanical Contracts, Inc., Blackwood, NJ for HVAC repair and replacement for the MacKay Library-Cranford Campus at a cost not to exceed \$693,378.

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

**Cell Tower Update:**

Mr. Katz reported that they are currently in the middle of expert depositions, and a court date is scheduled for January.

**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**

On motion duly made by Mr. Castro, seconded by Ms. Mehrotra 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 Trustees Minutes.

**NEW BUSINESS**

There was no new business to report.

**EXECUTIVE SESSION**

Mr. Betancourt read the following Resolution:



**Resolution PT024-002 - 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 December 12, 2023 from which the public shall be excluded.
2. The Executive Session will convene at approximately 6:45 p.m. and is expected to last until approximately 7:15 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. Castro and unanimously carried, the Board approved the Resolution for adoption.

The meeting went into Executive Session and the meeting resumed at 6:57 p.m.

**ADJOURNMENT**

With no further business on the agenda, a motion for adjournment was made by Mr. Betancourt, seconded by Mr. Katz at 6:57 p.m.