

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

**BOARD OF TRUSTEES
Minutes of Meeting
December 6, 2022**

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 6:38 p.m. in the Executive Education Center on the Cranford Campus. The following were in attendance:

TRUSTEES

Mr. Richel; Rafael J. Betancourt, Esq.; Jeffrey H. Katz, Esq.; Anjali Mehrotra; Daryl Palmieri; Dr. Kamran Tasharofi; Mary M. Zimmermann; George E. Stephens; Dr. Margaret M. McMenamin, President.

GOVERNORS

Ryan J. Greco; Stephen H. Hehl, Esq.; Donna M. Herran; Gary S. Horan; Paul T. O'Neill; Francis Raudelunas; James Roundtree III.

ALSO PRESENT

Denise Collins; 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 November 2, 2022 were approved as submitted.

COMMUNICATIONS

Completed.

SWEAR IN NEW MEMBER

Mr. Richel reported to the Board that Mr. Katz was sworn in as a Trustee at the Joint Meeting.

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. Hargrove presented an overview of the College C.A.R.E. Team which helps to provide a safe environment for students, faculty, staff, and visitors. She also reported that Dr. Ziner provided the results of the Graduate Fair Survey consisting of data from December 2021 and May 2022 graduates.

Mrs. Zimmermann reported that as of December 6, 2022, spring enrollment is -11.0% in FTE hours.

Mrs. Zimmermann submitted the following Resolutions for approval:

Resolution – E023-003 - Faculty Personnel Actions

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

Retirements:

Nicholas Gilbert, Professor, Physics/Engineering, Academic Affairs, effective January 1, 2023.

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

Resolution E023-004 - Staff Personnel Actions

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

Appointments:

Kobe Penn, Student Services Generalist, Student Development, effective November 7, 2022, \$44,000 per annum.

Giovanny Ramirez, Custodian, Finance & Operations, effective November 7, 2022, \$29,120 per annum.

Leonardo Ramos, Student Services Generalist, Student Development, effective November 7, 2022, \$44,000 per annum.

Promotions/Reclassifications/Reinstatements:

Yuri Bisoño, Student Services Specialist, Student Success Initiatives, from Student Services Specialist, Advising Career, and Transfer, Student Development, effective November 1, 2022.

Employment Separations:

Nancy Claudet, Student Services Associate, Student Development, effective November 4, 2022.

Mari Stack, Academic Specialist, Director of Clinical Education, Respiratory Care, Academic Affairs, effective November 7, 2022.

Kathryn Anackowski, Director of Student Research & Science Laboratories, Academic Affairs, effective November 8, 2022.

Derrick Collins, Division Secretary, STEM, Academic Affairs, effective November 8, 2022.

Dr. Takeem Dean, Assistant Vice President of Student Development & Dean of Students, Student Development, effective November 28, 2022.

Miguel Perez, Maintenance Mechanic Helper, Finance & Operations, effective December 1, 2022.

Jennifer Ross, Academic Specialist, American Honors, Academic Affairs, effective December 4, 2022.

John Wetzel, Public Safety Office, Finance & Operations, effective January 1, 2023.

On motion duly made by Mrs. Zimmermann, seconded by Ms. Mehrotra 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 October 14 2022 to November 14, 2022, Public Safety advised that there were no incidents to report.

BUDGET AND FINANCE COMMITTEE

Mr. Betancourt 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.

Mr. Betancourt stated that Financial Report was also reviewed and reported revenue is up slightly due to an increase in credit hours year over year, and the net increase in total expenses year over year is a result of timing of expenses and the increase in compensation.

Current Estimate Report:

Mr. Betancourt stated also reviewed was the Current Estimate Report and reported that at this time, a transfer to Unrestricted Net Position of \$1.4 million is anticipated for fiscal year ended June 30, 2023.

Mr. Betancourt presented the following Resolutions for approval:

Resolution F023-008 - 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 2023.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Division of Public Contracts Equal Employment Opportunity Compliance Office.

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

Contracts Exempt from Competitive Bidding

Resolution F023-009 - Natural Gas Supply and Delivery Service

WHEREAS, natural gas supply and delivery service is necessary for heating all campuses of the College, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(8) provides for exception to the requirement for advertising for bids for the supplying of any product or rendering of any service by the public utility subject to the jurisdiction of the Board of Public Utilities (BPU), and

WHEREAS, the County College Contract Law, N.J.S.A. 18A:64A-25.10 provides authority for joint purchasing by county colleges, municipalities or counties or with other units of government pursuant to “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.), and

WHEREAS, Noresco Sustainability Services, Edison, NJ issued a bid for natural gas supply and delivery service on behalf of the New Jersey Council of County Colleges Joint Purchasing Consortium (NJCCC JPC) for the twenty-four (24) month period of November 1, 2022 through October 31, 2024, and

WHEREAS, the awarded providers and estimated costs for the twenty-four (24) month contract period from November 1, 2022 through October 31, 2024 are as indicated below:

Campus	Estimated Monthly Usage in Decatherms	Rate per Decatherm	Monthly Estimated Supply Cost	Monthly Estimated Delivery Cost	Estimated Monthly Cost
Plainfield Supply: Direct Energy Delivery: PSE&G	288	9.277	\$ 2,657	\$1,440	\$ 4,097
Scotch Plains Supply: Direct Energy Delivery: PSE&G	132	9.227	\$ 1,218	\$1,440	\$ 2,658
Cranford Supply: Constellation Delivery: Elizabethtown Gas	1,800	8.183	\$14,729	\$4,680	\$19,409
Elizabeth Supply: Constellation Delivery: Elizabethtown Gas	1,320	8.183	\$10,802	\$6,480	\$17,282
				Estimated Monthly Total	\$ 43,446
				24 Month Estimated Contract Total	\$1,042,704

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that contracts arrived at through an open and fair process and the transmission of natural gas by vendors that are regulated by the Board of Public Utilities are exemptions to the Pay-to-Play law, 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 natural gas supply to Constellation New Energy, Louisville, KY, and Direct Energy Business Marketing, LLC Philadelphia, PA at an estimated total cost not to exceed \$612,744 and \$93,000 respectfully from November 1, 2022 through October 31, 2024.

BE IT FURTHER RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts to Public Service Electric & Gas (PSE&G), Newark, NJ for the Plainfield and Scotch Plains campuses and to Elizabethtown Gas, Elizabeth, NJ for the Cranford and Elizabeth campuses for estimated natural gas delivery costs not to exceed \$69,120 and \$267,840 respectively from November 1, 2022 through October 31, 2024.

Resolution F023-010 - Solid Waste Removal and Single Stream Recycling Management Services

WHEREAS, the College requires solid waste removal and single stream recycling management services on all campuses in support of day to day operations and the mission of the College, 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, Direct Waste Services, Inc., Newark, NJ has submitted a proposal under Union County Cooperative Pricing System (UCCPS) contract BA#30-2022 to provide solid waste removal and single stream recycling management services from January 1, 2023 until December 31, 2025 for a total award not to exceed \$305,917, and

WHEREAS, the cost for the same service for a twenty-four (24) month period from January 1, 2020 through December 31, 2022 is projected to be \$186,622, 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, UCPS utilized competitive bidding for the award of the contracts to Direct Waste Services, Inc., Newark, 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 Direct Waste Services, Inc., Newark, NJ to provide to provide solid waste removal and single stream recycling management services on all campuses for a total cost not to exceed \$305,917 from January 1, 2023 until December 31, 2025.

Resolution F023-011 - Additional Temporary On-Call Custodial Staffing Services

WHEREAS, the College has a continued need for temporary on-call custodial staffing due to the number of staff vacancies for custodial shifts and effectuation of enhanced cleaning efforts on all campuses, 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 an exception to the requirement of advertising for bids for personnel recruitment and advertising, 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, on June 21, 2022, the Board of Trustees awarded a contract to Delta-T Group North Jersey, Inc., Woodbridge, NJ to provide temporary on-call custodial staffing services at the rate of \$22.90 per hour for July 1, 2022 until December 31, 2022 for a total award not to exceed \$238,160, and

WHEREAS, Delta-T Group North Jersey, Inc., Woodbridge, NJ has submitted an additional proposal under Educational Services Cooperative of New Jersey (ESCNJ) Co-op # ESCNJ 20/21-30 to provide temporary on-call custodial staffing services at the rate of \$22.90 per hour from January 1, 2023 until June 30, 2023 for a total award not to exceed \$238,160, 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, ESCNJ utilized competitive bidding for the award of the contracts to Delta-T Group North Jersey, Inc., Woodbridge, 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 Delta-T Group North Jersey, Inc., Woodbridge, NJ to provide temporary on-call custodial staffing services on all campuses to cover vacancies in custodial staffing and for enhanced cleaning efforts on all campuses at a cost not to exceed \$238,160 from January 1, 2023 until June 30, 2023 for a total award not to exceed \$476,320 for Fiscal Year 2022-2023.

Resolution F023-012 - CART Translation Services

WHEREAS, the College requires Communication Access Real-time Translation (CART) Services, a professional service for hearing impaired students where certified stenographers/court reporters transcribe on location the translation of the spoken word into English text displayed immediately to a student's laptop, in compliance with the Americans with Disabilities Act and, in support of the mission of the College, and

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

WHEREAS, on November 2, 2022 the Board of Trustees ratified an award to Karas Enterprises, Dba Karasch & Associates, West Chester, PA for CART services for a total award not to exceed \$20,000, and

WHEREAS, Karas Enterprises, Dba Karasch & Associates, West Chester, PA has submitted a proposal to provide CART services to students requiring real time in class translation at a cost not to exceed \$20,000 for the Spring 2023 semester, 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, Karas Enterprises, Dba Karasch & Associates, West Chester, PA has completed and submitted Business Entity Disclosures 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 that will be prohibited from making any reportable contributions through the term of the contract, and

WHEREAS, the Vice President of Finance and Operations has determined the total contract award will exceed \$17,500 each, 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 Karas Enterprises, Dba Karasch & Associates, West Chester, PA, for CART translation services at a cost not to exceed \$20,000 for a total award not to exceed \$40,000 for Fiscal Year 2022-2023.

On motion duly made by Mr. Betancourt, seconded by Mrs. Zimmermann and unanimously carried, the Board approved Resolutions F023-009 through F023-012 for adoption.

Resolution F023-013 - Software Licenses, Network Maintenance Support, Hardware, and Professional Services

WHEREAS, the College requires software licenses, network maintenance support, hardware, and professional services, 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-25.5.a.(15) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use of professional consulting services, 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, on June 21, 2022, the Board of Trustees awarded contracts to SHI International Corp., Somerset, NJ for software licenses, network maintenance and computer hardware in an amount not to exceed \$903,542, and

WHEREAS, SHI International Corp., Somerset, NJ has provided hardware equipment at a cost of \$7,274 for Fiscal Year 2022-2023, which was under the threshold of \$7,500 for “Report of Authorized Payments in Excess of Original Award” which did not require Board of Trustee approval, 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, SHI International Corp., Somerset, NJ submitted the below listed upgraded software licenses, hardware and professional services proposals as follows:

Description	Exemption	Cost
RUBRIK Foundation/Office 365	Edge Marketing Contract # 269EMCPS-21-001-EM-SHI	\$64,361
JAMF/MAC and IOS	Edge Marketing Contract # 269EMCPS-21-001-EM-SHI	\$ 5,796
HP Design Jet Printer	Edge Marketing Contract #269EMCPS-21-001-EM-SHI	\$12,553
External Network Penetration Testing	Edge Marketing Contract #269EMCPS-21-001-EM-SHI 18A:64A-25.5.a. (15) Professional Services	<u>\$19,320</u>
	TOTAL	\$102,030

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, NJ Edge utilized competitive bidding for the awards of 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 software licenses and network maintenance support, hardware, professional services at a cost not to exceed \$102,030 for a total award not to exceed \$1,012,846 for Fiscal Year 2022-2023.

Resolution F023-014 - Firewall Upgrades, Licensing and Professional Services Support

WHEREAS, there exists a need throughout the College for firewall upgrades, licensing and professional service support to enhance network security against external cyber-attacks, 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, the County College Contracts Law, N.J.S.A. 18A:64A-25.28.(d) 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 not more than five (5) years, 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, on June 21, 2022, the Board of Trustees awarded a contract to Aspire Technology Partners, LLC, Eatontown, NJ to provide voice and data, software maintenance renewal and support for Fiscal Year 2022-2023 for a total award not to exceed \$222,999, and

WHEREAS, on September 20, 2022, the Board of Trustees awarded contracts to Aspire Technology Partners, LLC, Eatontown, NJ for additional cloud managed smart security cameras on all campuses and UPS upgrades to all network closets for a total award not to exceed \$580,834, and

WHEREAS, on November 2, 2022, the Board of Trustees awarded a contract to Aspire Technology Partners, LLC, Eatontown, NJ for conference room upgrades on the Cranford Campus and Kellogg Building for a total award not to exceed \$72,447, and

WHEREAS, Aspire Technology Partners, LLC, Eatontown, NJ has submitted a proposal under National Cooperative Purchasing Alliance (NCPA) Contract #01-86 for firewall upgrades, licensing and professional services support from December 15, 2022 until December 14, 2027 for a total award not to exceed \$566,689, 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, NCPA utilized competitive bidding for the award of contracts to Aspire Technology Partners, LLC, Eatontown, 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 Aspire Technology Partners, LLC, Eatontown, NJ for firewall upgrades, licensing, and professional service support at a cost not to exceed \$566,689 for a total award not to exceed \$1,442,969 for Fiscal Year 2022-2023.

Resolution F023-015 - Scanning Systems, Installation and Maintenance Services

WHEREAS, the College has a need to purchase scanning systems with installation and extended maintenance services, 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 exceptions to the requirement for advertising for bids for the provision of materials or supplies which are not available from more than one potential bidder, including without limitation materials or supplies which are patented or copyrighted, 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 May 24, 2022, the Board of Trustees awarded a contract to Scantron Corporation, Eagan, MN for faculty evaluation annual software license renewal and maintenance for a total award not to exceed \$21,064, and

WHEREAS, Scantron Corporation, Eagan, MN has provided a proposal for four (4) proprietary Opscan scanning systems, installation and two (2) years maintenance services at a cost not to exceed \$30,450, 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, Scantron Corporation, Eagan, MN 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 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 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 Scantron Corporation, Eagan, MN for scanning systems, installation, and maintenance services at a cost not to exceed \$30,450 for a total award not to exceed \$51,514 for Fiscal Year 2022-2023.

On motion duly made by Mr. Betancourt, seconded by Mrs. Zimmermann and unanimously carried, the Board approved Resolutions F023-013 through F023-015 for adoption.

Resolution F023-016 - Spend \$17,500-\$37,500

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

WHEREAS, the attached purchases of goods and services are under the bid threshold of \$37,500, 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, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts between \$17,500 and \$37,500 to the listed vendors for a total spend of \$79,879.

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

Resolution F023-017 - 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 \$100.

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. Betancourt, seconded by Mrs. Zimmermann and unanimously carried, the Board approved the Resolution for adoption.

Dr. Wilkin stated that the new budget is process and there will be no increase in tuition rates, and rates for out-of-county students will decrease from 100% to 80%.

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 B023-001 - Replacement of T-Intersection Fences-Cranford and Plainfield Campuses

WHEREAS, the College has a need to replace the T-intersection fences on the Cranford and Plainfield Campuses, 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 participating cooperative pricing system pursuant to the laws of this state, and

WHEREAS, on September 20, 2022, the Board of Trustees awarded a contract to Guardian Fence Co., Inc. Newark, NJ to remove and dispose the existing fencing and install new fence sections throughout the Cranford Campus in an amount not to exceed \$217,117, and

WHEREAS, Guardian Fence Co., Inc. Newark, NJ has provided a proposal under Hunterdon County Educational Services Commission (HCESC) contract number Cat/Ser-19-16 to remove and dispose the existing chain link fencing and install a color coated chain link fences at the T-intersection-Cranford and Plainfield Campuses in an amount not to exceed \$8,337 and \$4,017 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 award will exceed \$17,500, and

WHEREAS, HCESC utilized competitive bidding for the award of contracts to Guardian Fence Co., Inc. Newark, 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 ratify an award and award a contract to Guardian Fence Co., Inc. Newark, NJ to replace the T-intersection fences-Cranford and Plainfield campuses at a cost not to exceed \$8,337 and \$4,017 respectively for a total award of \$229,471 for Fiscal Year 2022-2023.

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

Cell Tower Update:

Mr. Katz reported that there will be a conference before the court in mid-January setting out dates for discovery and litigation.

OPEN MEETING TO THE PUBLIC

No one addressed the Board.

UNFINISHED BUSINESS

On motion duly made by Mr. Betancourt, seconded by Mr. Katz 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

Completed.

EXECUTIVE SESSION

There was no Executive Session following the meeting:

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Mr. Betancourt, seconded by Mr. Katz at 6:52 p.m.