

UNION COUNTY COLLEGE
Cranford, New Jersey

BOARD OF TRUSTEES
Minutes of Meeting
December 7, 2021

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 7:34 p.m. in the Executive Education Center, Cranford Campus. The following were in attendance:

TRUSTEES

Mr. Richel; Lawrence D. Bashe; Rafael J. Betancourt, Esq.; Daniel J. Connolly; Miguel A. Merino; Mary M. Zimmermann (via phone); Dr. Margaret M. McMenamin, President.

GOVERNORS

Brian Campbell; Tamecka Dixon; Ryan J. Greco; Stephen F. Hehl, Esq.; Donna M. Herran; Gary S. Horan; Jeffrey H. Katz, Esq.; J. Anthony Manger, Esq.; Francis Raudelunas; Allan L. Weisberg.

ALSO PRESENT

Denise Collins; Dr. Demond T. Hargrove, Vice President of Student Development; Michael M. Horn, Esq. McCarter English (via phone); Dr. Maris Lown, Vice President of Academic Affairs; Dr. Bernard Polnariev, Vice President of Administrative Services; Dr. Jaime M. Segal; Dr. Lori Wilkin, Vice President of Finance & Operations.

A quorum of the Board of Trustees was present.

OPEN PUBLIC MEETING ACT

Completed.

MINUTES

On motion duly made by Mr. Connolly and seconded by Mrs. Zimmermann, the Minutes of the Meeting of the Board of Trustees of November 9, 2021, were approved as submitted.

COMMUNICATIONS

Completed.

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 that Dr. Hargrove provided some highlights of student involvement with several social, educational, and cultural programs and Dr. Polnariev provided the results of the Graduation Survey for the academic year 2020-2021. He also reported that as of December 7, 2021, enrollment for Winter is +6.5. Spring enrollment is -0.4%

Mr. Betancourt submitted the following Resolutions for approval:

Resolution E022-003 - Faculty Personnel Action

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

Retirement:

Litsa Georgiou, Associate Professor, Institute for Intensive English, effective January 1, 2022.

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

Resolution E022-004 - Staff Personnel Actions

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

Staff Appointments:

Christelis Estrella Regalado, Student Services Associate, Student Development, effective November 1, 2021, \$35,337 per annum.

Rosebriar Chelot, Student Services Generalist, Student Development, effective November 8, 2021, \$44,000 per annum.

Maria Fernandez, Student Services Specialist, Student Development, effective November 8, 2021, \$55,000 per annum.

Grace Pardo, Executive Assistant, Finance and Operations, effective November 15, 2021, \$50,000 per annum.

Kevan Pidgeon-Hammond, College Life Athletics Information Coordinator, Student Development, effective November 15, 2021, \$46,000 per annum.

Edgar Carrasco, Custodian, Facilities, Finance and Operations, effective November 22, 2021, \$27,934 per annum.

Staff Promotions/Reclassifications/Reinstatements:

Nicole Torella, Communication Center Generalist from Manager of Publications and Communications, Administrative Services, effective October 1, 2021, \$64,406 per annum.

Staff Employment Separations:

Roberto Martinez, EMT Skill Lab Coordinator, Allied Sciences, effective November 15, 2021.

Kelly Terry, Student Services Generalist, Student Development, effective November 29, 2021.

William Peters, Security Officer, Public Safety, Finance and Operations, effective December 1, 2021.

On motion duly made by Mr. Betancourt, seconded by Mr. Connolly 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 25, 2021 through November 19, 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 November 30, 2021 and stated revenue is down approximately 4.68% due to enrollment decrease. He reported that the College has experienced an increase in State funding of \$1.4 million due to appropriations returning to normal funding levels, and the net increase in other income is directly related to parking fees and the return to campus. Mr. Connolly stated that the net decrease in total expenses year over year is a result of reduction in personnel offset by an increase in other expenses related to the return to campus.

Current Estimate Report:

Mr. Connolly reviewed the Current Estimate Report and stated that at this time, a transfer to Unrestricted Net Position of \$3.7 million is anticipated for fiscal year ended June 30, 2022.

Mr. Connolly presented the following Resolutions for approval:

Resolution F022-017 - 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 Anderson, Director of Purchasing, is the designated Union County College Contracting Agent and the current Public Agency Compliance Officer;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College re-appoint Mark Anderson, Director of Purchasing, as the Union County College Public Agency Compliance Officer for the calendar year 2022.

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

Contracts Exempt from Competitive Bidding

Resolution F022-018 - Temporary On-Call Custodial Staffing Services

WHEREAS, the College has a 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, especially considering protocols for COVID-19, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.(20) provides for an exception to the requirement of advertising for bids for personnel recruitment and advertising, and

WHEREAS, Prep Boyz LLC, Elizabeth, NJ provided temporary custodial staffing services at a cost of \$12,800 for Fiscal Year 2021-2022, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and

WHEREAS, Prep Boyz LLC, Elizabeth, NJ submitted an additional proposal to provide seven (7) custodial personnel deployed as follows: four (4) on Monday through Thursday, one (1) on Monday through Friday and two (2) on Saturday and Sunday at rate of \$25.00 per hour, for a total award not to exceed \$50,400 through January 28, 2022, 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, Prep Boyz LLC, Elizabeth, 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 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 County College award a contract to Prep Boyz LLC, Elizabeth, NJ to provide temporary on-call custodial staffing at a cost not to exceed \$50,400 to cover vacancies in custodial staffing and for enhanced cleaning efforts for a total award not to exceed \$63,200 from July 1, 2021 until January 28, 2022.

Resolution F022-019 - Aspen Nomination Billboard Advertisements

WHEREAS, the College has a need for billboard advertisements which are essential to recruitment efforts 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 advertng, including without limitation advertising seeking student enrollment, and

WHEREAS, Outfront Media LLC, Fairfield, NJ has been awarded a contract to provide advertisements for the College at a cost not to exceed \$16,000, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and

WHEREAS, Outfront Media LLC, Fairfield, NJ will provide additional billboards advertising Union County College's recognition as one of the top 150 community colleges in the nation by The Aspen Institute College Excellence Program at a cost not to exceed \$10,000, 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, Outfront Media LLC, Fairfield, 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 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 Finance and Operations;

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to Outfront Media LLC, Fairfield, NJ to provide Aspen nomination billboard advertisements at a cost not to exceed \$10,000 for a total award not to exceed \$26,000 for Fiscal Year 2021-2022.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved the Resolutions F022-018 and F022-019 for adoption.

Resolution F022-020 - Network Data Management Services

WHEREAS, there is an annual need for the college to perform network data management services, including redundancy, data protection and recovery, 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.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 22, 2021, the Board of Trustees awarded a contract to SHI International Corp., Somerset, NJ, an authorized NJ State Contract vendor and distributor for OMNIA Partners for virtual desktop software licenses, maintenance, and support for a cost not to exceed \$458,371, and

WHEREAS, on September 21, 2021, the Board of Trustees awarded a contract to SHI International Corp., Somerset, NJ an authorized NJ State Contract vendor and distributor for OMNIA partners for virtual desktop software licensing and ID card printers at a cost not to exceed \$172,513, and

WHEREAS, on November 9, 2021, the Board of Trustees awarded a contract to SHI International Corp., Somerset, NJ, an authorized NJ State Contract Vendor for server upgrades for the Elizabeth Campus and for vaccine tracking software at a cost not to exceed \$34,738, and

WHEREAS, SHI International Corp., has submitted a proposal under NJ Edge.Net. Inc. contract #269EMCPS-21-001-EM-SHI for Rubrik network data management services system at a cost not to exceed \$15,000, and

WHEREAS, the cost for annual data back-up service maintenance system from 11/16/20-11/15/21 was \$15,000, 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, 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 to maintain their position as a state contract vendor, thereby releasing Union County College from the requirement to obtain such documentation, and

WHEREAS, NJ Edge.Net Inc., Newark, NJ, utilized competitive bidding for the awards of their contracts to SHI International Corp., Somerset, 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 Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to SHI International Corp., Somerset, NJ for a Rubrik network data management services system for the Elizabeth Campus at a cost not to exceed \$15,000 for a total award of \$680,622 for Fiscal Year 2021-2022.

Resolution F022-021 - Simple Syllabus Software

WHEREAS, there is a need, in response to the COVID-19 pandemic, for a software application which will allow class syllabi to easily transition to a mobile or web format, 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, Simple Systems Group, LLC DBA Simply Syllabus, Tampa, FL has submitted a proposal to provide a template driven platform for the publishing of class syllabi in mobile, web and print formats at a cost of \$13,374 plus a one-time \$5,000 implementation fee, for a total cost of \$18,374 for a one year period, 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 the purchase above has been identified as a cost that is reimbursable under such funding, 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, Simple Systems Group, LLC DBA Simply Syllabus, 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 Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to Simple Systems Group, LLC DBA Simply Syllabus, Tampa, FL, for Simple Syllabus software at a total cost not to exceed \$18,374 for Fiscal Year 2021-2022.

Resolution F022-022 - Wi-Fi Access Points Installation

WHEREAS, there exists a need for installation of wi-fi access points for the courtyards and parking lots on all campuses to enable accessibility to the College network in those outside areas which enhance potentialities for the learning environment during the COVID-19 pandemic 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 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 May 25, 2021, 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 2021-2022 for a total cost not to exceed \$323,815, and

WHEREAS, on June 22, 2021, the Board of Trustees awarded contracts to Aspire Technology Partners, LLC, Eatontown, NJ, to provide specialized hardware, installation, licensing, and support for sixty (60) video enabled classrooms and public spaces, including but not limited to the Roy Smith Theater and the Richel Commons, and to provide fifty (50) licenses over a five-year (5) period for software that will automate call history from the VoIP system, and for a total cost not to exceed \$2,604,134, and

WHEREAS, on September 11, 2021, the Board of Trustees awarded contracts to Aspire Technology Partners, LLC, Eatontown, NJ, to provide core network infrastructure upgrades and additional sixty (60) video enabled classrooms for a total cost not to exceed \$5,821,244, and

WHEREAS, Aspire Technology Partners, LLC, Eatontown, NJ has submitted proposals under National Joint Purchasing Alliance (NJPA) Contract #AR3227 #21-TELE-01506 for purchase and installation of wi-fi access points to enable accessibility to the College network in outdoor areas for a total cost not to exceed \$147,700, 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, NJPA utilized competitive bidding for the award of the contracts to Aspire Technology Partners, LLC, Eatontown, NJ and 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 are exempt from the Play-to-Play law, 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 Finance and Operations;

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 smart security cameras and wi-fi access points installation on all campuses network infrastructure upgrades and additional video enabled classrooms at a cost not to exceed \$147,700 for a total award not to exceed \$ 8,896,893 for Fiscal Year 2021-2022.

Resolution F022-023 - Emergency Alert Notification System

WHEREAS, there is a need to upgrade the emergency alert notification system to students, faculty and staff in the event of an emergency on campus to ensure the public safety, 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, Rave Wireless, Inc., DBA Rave Mobile Safety, Framingham, MA has submitted a proposal for an enhanced emergency alert notification system which can integrate with Colleague and include simultaneous posting to social media platforms at a cost not to exceed \$17,925 from February 1, 2022 - January 31, 2023 which will replace the current system, and

WHEREAS, the prior annual cost for the emergency alert notification system was \$11,603, 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 the purchase above has been identified as a cost that is reimbursable under such funding, 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, Rave Wireless, Inc., DBA Rave Mobile Safety, Framingham, MA 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 Finance and Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to Rave Wireless, Inc., DBA Rave Mobile Safety, Framingham, MA for an emergency alert notification system at a total cost not to exceed \$17,925 for Fiscal Year 2021-2022.

Resolution F022-024 - Information Technology Managed Services

WHEREAS, a need exists within the information technology department at the College for strong leadership and in house management skills to support all technology of the operations of the College, provide best practices within the current Colleague ERP system, evaluate business processes throughout various units in the College, and provide a structure that is supported and backed up outside the normal course of business to support 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, County College Contracts Law N.J.S.A. 18A:64A-25.28. d. provides that contracts 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 may be awarded for a term not to exceed five years, and

WHEREAS, Ellucian Company, L.P., Reston, VA is Union County College's current in house provider of Colleague, the administrative software for the College's ERP system, including financial reporting, financial aid, grant management and human resources, which has been utilized since January 2009, and

WHEREAS, on September 19, 2017, the Board of Trustees approved an award to Ellucian Company, L.P., Reston, VA for technology management support services from September 20, 2017 through September 19, 2022 for an amount not to exceed \$12,824,667, and

WHEREAS, the Vice President of Finance and Operations has determined that the total contract award will exceed \$17,500, and

WHEREAS, Ellucian Company, L.P., Reston, VA 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 County College award a contract to Ellucian Company, L.P., Reston, VA for provision of information technology managed services for Union County College in an amount not to exceed \$15,420,979 from September 20, 2022 through September 30, 2027.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved the Resolutions F022-020 through F022-024 for adoption.

BUILDINGS AND GROUNDS

Mr. Katz reported that there was one change to the Project Prioritization List which was the removal of an item.

Kellogg Recovery Status:

Mr. Katz reported to the Board that at the Committee meeting earlier, an update of the recovery of the Kellogg Building as a result of Hurricane Ida which included images of various areas of damage in the building, including equipment. Mr. Katz stated the schedule of repairs as follows:

- the temporary power unit will be installed and connected this week.
- next week a new fire pump panel is expected,
- the elevator vendor will be on site to inspect all elevators
- electricians will begin to inspect items such as outlets.
- concrete slab scheduled to be removed and replaced the week of 12/20.

Cell Tower Update:

Mr. Katz stated that there was no update to report.

OPEN MEETING TO THE PUBLIC

No one rose to speak.

UNFINISHED BUSINESS

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

Mr. Richel reminded the Board that the Foundation's Holiday Party scheduled for Thursday, December 9th will be held at Shackamaxxon County Club.

EXECUTIVE SESSION

There was no Executive Session this month.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Mr. Betancourt and seconded by Mr. Connolly at 7:42 p.m.