

UNION COUNTY COLLEGE
Cranford, New Jersey

BOARD OF TRUSTEES
Minutes of Meeting
February 23, 2021

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 7:00 p.m. via teleconference. The following were in attendance:

TRUSTEES

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

GOVERNORS

Brian Campbell; Donna M. Herran; Jeffrey H. Katz, Esq.; J. Anthony Manger, Esq.; Carl J. Napor; Francis Raudelunas.

ALSO PRESENT

Denise Collins; Dr. Demond T. Hargrove, Vice President of Student Development; Michael M. Horn, Esq., McCarter English; Dr. Bernard Polnariev, Associate Vice President Academic Services; Dr. Jaime M. Segal; Marlene Sousa, Controller; Lynne A. Welch, Vice President, Financial Affairs and Treasurer; Dr. Lori Wilkin, Associate Vice President of Finance.

A quorum of the Board of Trustees was present.

OPEN PUBLIC MEETING ACT

Pursuant to N.J.S.A 10:4-6, and upon further guidance from N.J.A.C 5:39-1.1 to 1.7, and given the current pandemic, notice of this Meeting of the Board of Trustees of Union County College was transmitted to the Star Ledger, Newark and Courier News, Somerville, which notice specified time and place of this meeting as Tuesday, February 23, 2021 at 7:00 p.m. in the cafeteria on the Plainfield campus of Union County College. This notice also provided additional means of participating in this public meeting including: electronic means via Webex by a link or by phone as well as the ability to provide public comment via email only. Notice with the aforementioned information was also posted at the Union County Courthouse, Elizabeth, N.J., and the Union County College campuses in Cranford, Elizabeth and Plainfield and on the Union County College website at www.ucc.edu. Please be further advised that the format of this meeting was modified to a virtual only format, with no physical meeting location, via updated electronic notice provided on the College's website on February 17, 2021.

MINUTES

On motion duly made by Dr. Tasharofi and seconded by Mr. Connolly, the Minutes of the Meeting of the Board of Trustees of January 26, 2021 were approved as submitted.

COMMUNICATIONS

There were no communications to report.

INSIDE THE COLLEGE

Dr. Hargrove provided a COVID-19 response update to the Board. In addition, Mrs. Sousa and Dr. Wilkin reviewed the FY2021-2022 Proposed Budget.

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:

- On February 6, 2021, the Winter Commencement Ceremony was held virtually and celebrated almost 900 students who completed their degrees and certificates in August and December 2020.
- Union County College alumnus, Bruce Weidenburner, bequeathed \$2.7 million to establish a scholarship in his parents' name to support graduates of Linen High School who attend Union.
- On February 4, the American Honors program hosted a trivia event where Honors students and Honors faculty competed against each other.
- On January 28, 2021, President McMenamin joined Kean President Dr. Lamont Repollet at Kean University's campus to sign a renewed Joint Admissions Agreement entitled, "Pathways to Kean."
- Union County College Board of Governors Chair Mary M. Zimmermann, Union student and Community College Opportunity Grant recipient Vincent Eynon, and Union's Board Secretary Dr. Jaime Segal, joined President McMenamin at the virtual Association of Community College Trustees 2021 National Legislative Summit (NLS)
- At this year's National Girls and Women in Sports Day, Union student-athlete Sophia De Andrade, a member of the Cross Country and Track and Field team, received the "Woman of the Year" award.

Dr. McMenamin stated that during these unusual and difficult times everyone remains focused on our mission. She thanked the Boards for their support and guidance.

OPEN MEETING TO THE PUBLIC: PROPOSED FY2021-2022 BUDGET

No one came forward to speak.

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. Cooner presented a survey of 1,695 graduates from the academic year 2018-2019. Mrs. Zimmermann also reported that enrollment for Spring 2021 is down 11%.

Mrs. Zimmermann submitted the following Resolutions for approval:

Resolution E021-007 - Staff Personnel Actions

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

Staff Promotions/Reclassifications/Reinstatements:

Keara George, Student Services Associate, Student Development, separation was effective August 3, 2020. Reinstated February 1, 2021.

Staff Employment Separations:

Alexander Kareev, Instructional Support Specialist, Academic Affairs, effective March 5, 2021.

Dr. Mensah Peterson, Dean of Students, Student Development, effective March 9, 2021.

Joseph Roussey IV, Fitness & Wellness Coordinator/Intramural Director, Student Development, effective March 29, 2021.

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

Resolution E021-008 - Addendum Number One to the Existing Joint Admission Agreement – Kean University

WHEREAS, Addendum Number One between Union County College, New Jersey and Kean University, Union County, New Jersey, amends and is hereby incorporated into the existing Joint Agreement between Kean University, Union County, New Jersey and Union County College, Union County, New Jersey (Exhibit 1), and

WHEREAS, Addendum Number One expands program offerings and admissions opportunities to Kean University, New Jersey, specifically in support of Union County College's University Center at the Scotch Plains Campus, New Jersey (Exhibit 1), and

WHEREAS, the parties have identified the BS Management – General Business, BA Psychology, BA Criminal Justice, and BS Business Supply Chain and Information Management undergraduate programs at Kean University will be subject to this Agreement (Exhibit 1), and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College, New Jersey approves the Articulation Agreement between Union County College, New Jersey and Kean University, Union County, New Jersey, and

BE IT FURTHER RESOLVED that College officials be authorized to sign the Articulation Agreement between Union County College, New Jersey and Kean University, New Jersey.

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

Resolution E021-009 - Change in Nomenclature–Entertainment Technology, Certificate

WHEREAS, Union County College has identified the need to send a request to the Academic Issues Committee for a nomenclature change for the Audio Production, Certificate on the State Inventory of Program Offerings (Exhibit 1),

WHEREAS, the Academic Issues Committee will be notified that the name of the Audio Production, Certificate on the State Inventory of Program Offerings should be changed from Audio Production, Certificate to Entertainment Technology, Certificate (Exhibit 1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College approves the request to the Academic Issues Committees for a change in nomenclature offering of Audio Production, Certificate to Entertainment Technology, Certificate at Union County College, New Jersey, on the State's Inventory of Program offerings effective immediately.

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

SAFETY REPORT – S485

Dr. McMenamin stated that in compliance with the Cunningham – Ruiz Law (S485, codified at N.J.S.A. 18:3B-71) requiring reporting of campus crimes and fire incidents for the period from January 11, 2021 to February 9, 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 January 31, 2021 and stated revenue is down approximately 9.1% resulting from a year to date 9.4% enrollment decrease which has been a direct result of the pandemic. He reported that the College has also experienced a decrease in State funding of \$1.4 million compared to the previous year due to budget cuts, and that the decrease in total expenses year over year is primarily due to the College's efforts to control costs in this COVID environment. Mr. Connolly reported that overall positions have been reduced by retirements, many vacancies have not been replaced, positions have been eliminated and part-time positions have been drastically reduced throughout the College and stated that the County Appropriation for February was received in January and is reflected as such.

Current Estimate Report:

Mr. Connolly reviewed the Current Estimate Report and stated that at this time, a transfer to Unrestricted Net Position of \$3.4 million is anticipated for fiscal year ended June 30, 2021.

Mr. Connolly presented the following Resolutions for approval:

Resolution F021-037 - Fiscal 2021-2022 Budget Adoption

WHEREAS, the Board of Trustees of Union County College is required to prepare and deliver to each member of the Union County College Board of School Estimate “an itemized statement of the amount of money estimated to be necessary for the operations and capital outlay expenditures for the ensuing year,” and

WHEREAS, under the terms of the Higher Education Restructuring Act, a public hearing for the Union County College community is being conducted “on the amount of money estimated to be necessary for the operations and capital outlay expenditures for the ensuing year”, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College adopts the budget for FY 2021-2022 totaling \$70,384,639 based upon a 6,296 State of New Jersey fundable full-time equivalent student enrollment, and

BE IT FURTHER RESOLVED that the Union County College Board of School Estimate be requested to certify to the Union County Board of County Commissioners that \$16,053,314 be appropriated for the operations of Union County College for the period from July 1, 2021 to June 30, 2022, and

BE IT FURTHER RESOLVED that a capital outlay budget for FY 2021-2022 totaling \$12,727,000 be adopted, and

BE IT FURTHER RESOLVED that the Union County College Board of School Estimate be requested to certify to the Union County Board of County Commissioners that \$12,727,000 be appropriated for capital outlay expenditures of Union County College for FY 2021-2022, and

BE IT FURTHER RESOLVED that a date, place, and time for the holding of public hearing by the Union County College Board of School Estimate on the FY 2021-2022 budget be selected and appropriate public notice be given pursuant to the applicable statutes.

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

Resolution F021-038 - Fiscal 2021-2022 Tuition Rates and Fee Adoption

WHEREAS, Chapter 42, P.L.L 1982 authorizes the Board of Trustees to “fix and determine tuition rates and other fees to be paid by students,” and

WHEREAS, the following tuition rates and fee changes are reflected in the proposed budget for Fiscal Year 2021-2022

Students who register for 12 to 18 credits to be charged a block rate for tuition and no general fees. Students registering from 1 to 11 credits to be charged a per credit charge for tuition and no general fees as follows:

Tuition

	<u>In</u> <u>County</u>	<u>Out of</u> <u>County</u>	<u>Out of</u> <u>State</u>	<u>International</u>
<u>Full Time</u> 12-18 credits per semester				
Full Time Tuition	\$2,640.50	\$5,281.00	\$5,281.00	\$5,281.00
Union American Honors	\$2,640.50	\$5,281.00	\$5,281.00	\$5,281.00
Union American Success	\$-0-	\$-0-	\$-0-	\$7,000.00
In excess of 18 credits per semester	Full-time rate plus part-time tuition rates per additional Registered credit.			

Per Credit Charges:

Applicable to part-time, 1-11 credits per semester or term, and full-time credits in excess of 18 per semester or term.

Tuition, per credit	\$214.00	\$428.00	\$428.00	\$428.00
American Success Platform Fee [per student per semester or term]	\$-0-	\$-0-	\$-0-	\$500.00

All amounts include registration and other support fees.

Subscription Book Fee

Book subscription fee, per 12-month period: \$140.00 (non-refundable after the start of the initial semester or term during a 12-month subscription cycle)

All other course and user fees remain unchanged at rates in effect during FY2021-2022.

WHEREAS, a public hearing for the Union County College community is being conducted on proposed revisions to tuition rates and fees on February 23, 2021 under the terms of the Higher Education Restructuring Act;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College adopts the tuition rates and fee changes, as proposed herein, for Fiscal Year 2021-2022 beginning with the academic semester of Fall 2021.

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

Grant Resolutions

Resolution F021-039 - New Jersey Youth Corp Program

WHEREAS, Union County College, 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, the College applied to the State of New Jersey Department of Labor and Workforce Development for funding for the New Jersey Youth Corps (NJYC) Program under the Workforce Innovation and Opportunity Act (WIOA) of July 22, 2014 for the period July 1, 2020 through June 30, 2021, and

WHEREAS, the purpose of this New Jersey Youth Corps (NJYC) Program is to provide a full-time, year-round program designed to assist young adults, ages 16 – 25, who have dropped out of high school without earning a high school diploma to successfully transition to employment, college or additional training, and

WHEREAS, the Center for Economic and Workforce Development (CEWD) coordinates this New Jersey Youth Corps (NJYC) Program with other resources of the American Job Center's One-Stop System and maintains linkage and collaboration with the American Job Center's One-Stop Career Center, and additional local non-profit organizations to service the anticipated participants in the program, and

WHEREAS, Union County College received notification on June 30, 2020 that due to the COVID 19 Pandemic partial funding in the amount of \$105,134 from State and Workforce Innovation Opportunity Act (WIOA) funds was approved for the period July 1, 2020 to September 30, 2020 with further guidance to follow on the remainder of the funding, and the Board of Trustees of Union County College accepted \$105,134 for the period July 1, 2020 to September 30, 2020 at the September 22, 2020 Board Meeting, and

WHEREAS, Union County College received notification that its remaining allocation of funding in the amount of \$290,366 from State and Workforce Innovation Opportunity Act (WIOA) funds was approved on December 1, 2020 and funding in the amount of \$54,500 from Temporary Assistance for Needy Families (TANF) funds was approved on December 21, 2020 for the period October 1, 2020 to June 30, 2021 by the State of New Jersey Department of Labor and Workforce Development;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College accepts the funding of \$290,366 from State and Workforce Innovation Opportunity Act (WIOA) funds and \$54,500 from Temporary Assistance for Needy Families (TANF) funds for the New Jersey Youth Corp (NJYC) Program from the State of New Jersey Department of Labor and Workforce Development for the fiscal period October 1, 2020 to June 30, 2021 for a total fiscal year 2020-2021 award of \$450,000.

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

Resolution F021-040 - Higher Education Emergency Relief Fund (HEERF) II

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

WHEREAS, the Higher Education Emergency Relief Fund (HEERF) was established by the Coronavirus Aid, Relief, and Economic Security (CARES) Act to provide direct assistance to students as well as colleges and universities, and

WHEREAS, the College received funding on April 24, 2020 in the amount of \$3,696,504 for emergency financial aid grants to students for expenses related to the disruption of campus operations due to the coronavirus and on May 04, 2020 in the amount of \$3,696,504 for the Institutional portion of the Higher Education Emergency Relief Fund authorized by Section 18004(a)(1) of the CARES Act and the Board of Trustees accepted this funding at the May 23, 2020 Board Meeting, and

WHEREAS, on December 27, 2020, the President signed the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA) and this new law gives the U.S. Department of Education approximately \$22.7 billion to distribute to institutions of higher education in order to prevent, prepare for, and respond to the coronavirus through the Higher Education Emergency Relief Fund (HEERF) II, and

WHEREAS, for existing private nonprofit and public Cares Act grantees, the Coronavirus Response and Relief Supplemental Appropriations Act 2021 (CRRSAA) authorized supplemental awards to existing Student Aid Portion and Institutional Portion grantees and expanded the allowable uses of these supplemental awards and new awards made under section 314(a)(1) in addition to unspent previous Cares Act funds, and

WHEREAS, the College received notification from the U.S. Department of Education that it was awarded funding under the Coronavirus Response and Relief Supplemental Appropriations Act 2021 (CRRSAA) through the Higher Education Emergency Relief Fund (HEERF) II for the amount of \$3,696,504 for Emergency Financial

Aid Grants to Students and \$11,026,399 for the Institutional Portion for institutional expenses related to the Coronavirus;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College accepts \$3,696,504 from the U.S. Department of Education for Financial Aid Grants to students and \$11,026,399 for the Institutional portion of the Higher Education Emergency Relief Fund (HEERF) II authorized by the Coronavirus Response and Relief Supplemental Appropriations Act 2021 (CRRSAA).

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

Contracts Exempt from Competitive Bidding

Resolution F021-041 - Additional Lighting Components and Electrical Fixtures

WHEREAS, the College requires lighting components and electrical fixtures at the Cranford, Plainfield and Elizabeth campuses to ensure ongoing reliability and functionality in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.9.a. provides for awarding contracts without public competitive bids when there is a State Contract for the product or service, and

WHEREAS, on July 7, 2020 Franklin-Griffith LLC, Trenton, NJ, an authorized vendor under NJ State Contract #T-0167, was issued a purchase order for lighting components and electrical fixtures at a cost not to exceed \$30,000, which was under the threshold of \$36,400 and did not require Board of Trustee approval for State Contracts, and

WHEREAS, additional funding is requested for Franklin-Griffith LLC, Trenton, NJ under State Contract #T-0167 for lighting components and electrical fixtures at a cost not to exceed \$10,000, and

WHEREAS, the cost for lighting components and electrical fixtures for Fiscal Year 2019-2020 was \$31,500, 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 Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

WHEREAS, NJ State Contract vendors are subject to the Pay-to-Play Law and are required to maintain a Business Entity Disclosure Certification and a Political Contribution Disclosure Certification with the State of New Jersey to maintain their position as

a NJ State Contract vendor thereby releasing Union County College from the requirement to obtain such documentation, and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to Franklin-Griffith LLC, Trenton, NJ at a cost not to exceed \$10,000 for additional lighting components and electrical fixtures for a total award not to exceed \$40,000 for Fiscal Year 2020-2021.

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

Resolution F021-042 - Financial Aid and Admissions On-Line Video and Software Licenses

WHEREAS, there is a need to provide students with twenty-four (24) hours a day, seven (7) days a week access to financial aid and admissions information and guidance to support student enrollment and retention, 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-25.28.d provides for goods or services for use, support or maintenance of proprietary computer hardware, software peripherals and system development for hardware for any term of not more than five (5) years, and

WHEREAS, CAREERAMERICA LLC, Boulder, CO has submitted a proposal to provide a proprietary online library of over two thousand Financial Aid TV (FATV) videos and intuitive artificial intelligence enabled Chatbots for Financial Aid and Admissions inquiries, at a cost of \$21,000 a year, for a total proposal not to exceed \$63,000, and

WHEREAS, the cost for similar Financial Aid TV (FATV) videos, updates and website access for Fiscal Year 2019-2020 was \$27,668, and

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

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

WHEREAS, CAREERAMERICA LLC, Boulder, CO has completed and submitted their Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying 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 Financial Affairs and Treasurer;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to CAREERAMERICA LLC, Boulder, CO for an online video library and artificial intelligence Chatbots for Financial Aid and Admissions information at a total cost of \$63,000 from March 15, 2021 to March 14, 2024.

Resolution F021-043 - Cybersecurity Software Renewal

WHEREAS, cybersecurity software is a necessary component of the security technological environment which is essential to teaching and administrative 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 for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

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

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

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

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

WHEREAS, on January 26, 2021, the Board of Trustees awarded a contract to Aspire Technology Partners LLC, Eatontown, NJ for data networking equipment for optimizing network efficiency at a cost not to exceed \$27,719, and

WHEREAS, Aspire Technology Partners LLC, Eatontown, NJ has submitted a proposal under National Cooperative Purchasing Alliance (NCPA) contract # 01-86 for continued provision of OKTA software as the College's Single Sign On (SSO) and Multi-Factor Authentication (MFA) tool which authenticates logins creating a more secure environment while offering ease of accessing resources and allows for self-service password reset functionality at a cost not to exceed \$81,360 for the period from March 14, 2021 until March 13, 2022, and

WHEREAS, the cost for the same software program for Fiscal Year 2019-2020 was \$139,483 which included one (1) time implementation and professional service fees, and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract for cybersecurity software at a cost not to exceed \$81,360 starting March 14, 2021 until March 13, 2022 to Aspire Technology Partners LLC, Eatontown, NJ for a total award not to exceed \$912,226.

Resolution F021-044 - Digital Subscription Services

WHEREAS, there is a College-wide need for greater affordability of course and learning materials in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(6) provides for exceptions to the requirements for advertising for bids for purchase of copyrighted materials, library books, magazines and periodicals and specialized library services, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(21) provides for exceptions to the requirements for advertising for bids for purchase of educational supplies, books, articles of clothing and other miscellaneous articles purchased by

a county college bookstore, or by a service or management company under contract with a county college to operate a county college bookstore for resale to college students and employees, and

WHEREAS, Cengage Learning, Inc., Stamford, CT has submitted a proposal for students to pay a flat fee of \$130.00 per year for access to over 20,000 digital learning materials, and

WHEREAS, under the terms of the contract that runs from March 1, 2021 until February 28, 2023, the College, through the Follett bookstore, would purchase a minimum of \$780,000 annually in Cengage Unlimited subscriptions, for a total contract amount not to exceed \$1,560,000, and

WHEREAS, the cost for digital subscription services for the previous two (2) fiscal years was a flat fee of \$120.00 per year per student, and

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

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

WHEREAS, Cengage Learning, Inc., Stamford, CT has completed and submitted their Business Entity Disclosure and Political Contribution Disclosure Certifications that certify they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and the contract will prohibit Cengage Learning, Inc., Stamford, CT from making any reportable contributions through the term of their contracts, and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract for digital subscription services starting on March 1, 2021 until February 28, 2023 to Cengage Learning, Inc., Stamford, CT for a total cost not to exceed \$1,560,000.

On motion duly made by Mr. Connolly, seconded by Mrs. Zimmermann and unanimously carried, the Board approved Resolutions F021-042 through F021-044 for adoption.

BUILDINGS AND GROUNDS

Mr. Katz reported that there were six (6) changes to the Project Prioritization List.

Cell Tower Update

Mr. Katz reported that most recent meeting was on held on February 22, 2021 which began with the Cranford Zoning Board of Adjustment allowing another resident objector to speak, despite having closed public comment last meeting. The objector's attorney spoke for the entire session disparaging many of the Verizon witnesses. The hearing is continued until March 22, 2021 at 7:00 p.m. with Verizon's attorney making his closing arguments.

Mr. Katz presented the following Resolutions for approval:

Resolution B021-005 - Authorization for Certification for Cranford Campus Physical Education Facility Renovation

WHEREAS, on December 18, 2020, Union County College (the "College") responded to a request from New Jersey Council of County Colleges ("NJCCC") by submitting a preliminary request for capital funding under N.J.S.A. 18A:72A-12.4. County College Capital Projects Funding ("Chapter 12"), and

WHEREAS, NJCCC has advised the College of its recommendation to the State Treasurer that preliminarily would make available \$5.578 million to the College under Chapter 12 funding, and

WHEREAS, the funds will be used to renovate the physical education facility on the Cranford campus, and

WHEREAS, the total cost of the project is estimated to be \$20 million, and

WHEREAS, on February 25, 2020, the Union County College Board of Trustees authorized renovations to the Cranford Campus Physical Education Facility Renovation and certified an amount of money for such purpose as \$5.580 million to be provided under the provisions of the fiscal year 2021 Chapter 12 funding, and

WHEREAS, Union County College has an interest in pursuing funds that may be available under the provisions of Chapter 12 for financial assistance in connection with this project and accordingly has included it in its preliminary request to the NJCCC for fiscal year 2022 Chapter 12 funding, and

WHEREAS, pursuant to N.J.S.A. 18A:64A-19, the Union County College Board of Trustees is to deliver to the Union County College Board of School Estimate (the "Board of School Estimate") an estimate of its cost of the project and the amount of money needed for the project;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College hereby determines a) the need for the College to expend \$20 million for a renovated physical education facility on the Cranford campus, and b) the estimated cost of this construction is \$20 million, c) the amount of money needed for such purpose by the Board of Trustees of the College is \$20 million, and d)

the College will pursue Chapter 12 State funding for all or a portion of said purpose.

BE IT FURTHER RESOLVED that The Board of School Estimate is hereby requested to certify to the Union County Board of County Commissioners that \$5.578 million be raised through the issuance of County College bonds and notes by the County of Union to fund the renovated physical education facility on the Cranford campus.

BE IT FURTHER RESOLVED that a copy of this resolution shall be delivered to each member of the Union County College Board of School Estimate.

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

Resolution B021-006 - Approval and Authorization of Renovations for the Union County College Elizabeth Campus Lessner Building Engineering Hub Project, Approval of the Long-Range Capital and Deferred Maintenance Plans, Certification that all eligibility requirements are met and Approval and Authority for the President to Execute Grant Funding Applications under the Securing Our Children's Future Bond Act

A RESOLUTION APPROVING AND AUTHORIZING THE UNDERTAKING AND IMPLEMENTATION OF A PROJECT CONSISTING OF RENOVATION TO THE ELIZABETH CAMPUS LESSNER BUILDING THIRD FLOOR TO INCLUDE DEMOLITION OF EXISTING SPACES, CONSTRUCTION OF A TECHNOLOGY CLASSROOM, CAD/CAM CLASSROOM, PHYSICS AND SCALE-UP CLASSROOMS, MULTI-PURPOSE COMPUTER CLASSROOM, PREP ROOM, EQUIPMENT STORAGE ROOM, IDF/IT ROOM, NEW INFORMATION TECHNOLOGY EQUIPMENT, TEACHING EQUIPMENT, AND AUTHORIZING THE FINANCING OF ALL OR A PORTION OF THE PROJECT THROUGH PROGRAMS MADE AVAILABLE BY THE STATE OF NEW JERSEY FOR NEW JERSEY INSTITUTIONS OF HIGHER EDUCATION AND OTHER AVAILABLE AND ELIGIBLE FUNDING SOURCES; APPROVING AND AUTHORIZING THE FORM OF THE APPLICATION TO THE SECRETARY OF HIGHER EDUCATION FOR PARTICIPATION IN SUCH PROGRAMS AS ARE APPLICABLE TO THE PROJECT WITH SUCH CHANGES AS ARE APPROVED BY THE OFFICERS OF THE INSTITUTION DESIGNATED HEREIN AND THE SUBMISSION OF THE APPLICATION TO THE SECRETARY OF HIGHER EDUCATION; CERTIFICATION THAT ALL ELIGIBILITY REQUIREMENTS ARE MET, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY AND ALL AGREEMENTS IN CONNECTION WITH UNDERTAKING, IMPLEMENTING AND FINANCING THE PROJECTS IN THE FORM APPROVED BY THE OFFICERS OF THE INSTITUTION EXECUTING SUCH AGREEMENT; AND DESIGNATING AND AUTHORIZING THE OFFICERS OF THE INSTITUTION TO TAKE THE AFOREMENTIONED ACTIONS AND TO TAKE ANY AND ALL SUCH OTHER ACTIONS DEEMED NECESSARY OR DESIRABLE TO UNDERTAKE, IMPLEMENT AND FINANCE THE PROJECT.

WHEREAS, the Board of Trustees (the “Board”) of Union County College (the “College), a New Jersey county college as defined by chapter 64A of Title 18A of the New Jersey Statutes, desires to approve the undertaking, implementation and financing of a project (the “Project”) consisting of renovation of approximately 6,420 square feet of the College’s Elizabeth Campus Lessner Building to create an Engineering Hub to include specialized Technology, CAD/CAM, Physics and Scale-up classrooms and a Multi-purpose Computer Classroom, as well as Engineering faculty offices, prep room, equipment storage room, technology upgrades, specialized capital equipment for teaching, and all entrances, hallways and restrooms, for the purpose of increasing class size capacity in key career technical education (CTE) engineering courses and access to equipment to expand program capacity and enhance academic outcomes in Engineering, Engineering Technology, Architecture (AS), Automotive Technology (AAS), Business Computer Information Systems (AA), CAD-CAM (CTA), Computer Information Systems & Technology (AS), Computer Science (AAS/AS), Computer Science, option in Engineering (AS), Construction Engineering Technology (AAS), Cyber Forensics (AAS), Drone Design and Applications (AAS), Environmental Science (AS), Game Design and Development (AAS), Game Design Creation (AAS), Mechanical Engineering Technology (AAS), Photovoltaic (CT), Remote Pilot and Drone Application (CT), Sustainability Science (AS), Technical Studies (AAS), and

WHEREAS, the Board desires to approve the aggregate costs of the Project paid and or financed through all sources in an amount not to exceed \$5,333,333 (\$4,000,000 grant plus \$1,333,333 match (25% of total project)), and

WHEREAS, the Board desires to finance a portion of the Project through the Securing Our Children’s Future Bond Act, P.L. 2018, c.119 (the "Bond Act"), and

WHEREAS, in October 2020, the Secretary of Higher Education of the State of New Jersey solicited applications for grants to make available use of Bond Act funds, to provide for projects to increase technical education program capacity in county colleges as authorized by the Securing Our Children’s Future Bond Act, P.L. 2018, c.119 (Bond Act) to construct and equip academic facilities, and other structures, which will provide direct benefit to students, and advance State goals including the promotion of industry clusters, increased growth in employment opportunities and expanded access to high quality education for NJ residents, and

WHEREAS, the Board has determined that the Project will assist in serving the needs of students and providing a benefit to the College, and

WHEREAS, the Bond Act requires a College match of 25%, and

WHEREAS, the College has sufficient funds and expected sources of revenue and or appropriations to enable it to appropriately match the contribution levels required, and

WHEREAS, the Board certifies that all eligibility requirements are met and desires to approve the form of the Application (the “Application”) to be submitted to the Secretary of Higher Education (the “Secretary”) for the Bond Act funding of the Project, and to designate and authorize the President of Union County College (“President”) to take necessary and desirable actions to undertake, implement and submit to the Secretary the Application for the Project, and

WHEREAS, the Board hereby approves the Long-Range Capital Plan (Facilities Master Plan) in the form attached hereto as Exhibit A, the Deferred Maintenance Plan in the form attached hereto as Exhibit B, and authorizes and directs the officers designated in this resolution to include the Long-Range Capital and Deferred Maintenance Plans in the Application approved herein, and

WHEREAS, the Board recognizes its powers and duties to include the exercise of all powers which may be reasonable, necessary, or incidental to the maintenance and operation of Union County College, including operation and maintenance of any Project funded from the Bond Act, and

NOW, THEREFORE, BE IT RESOLVED that the Board approves the Elizabeth Campus Lessner Building Engineering Hub (“Project”) and authorizes the undertaking, implementation and financing of the Project for the aggregate costs of the Project paid and or financed through all sources in an amount not to exceed \$5,333,333 (\$4,000,000 grant plus \$1,333,333 match (25% of total project)), and

BE IT FURTHER RESOLVED that the Board of Trustees approves: the Long-Range Capital Plan (Facilities Master Plan) in the form attached hereto as Exhibit A; the Deferred Maintenance Plan in the form attached hereto as Exhibit B; the financing of all or portions of the Project through the Bond Act for which funding will be requested; the Application for funding of the Project through the Bond Act in the form submitted to this Board and authorizes and directs the President of Union County College to submit such Application to the Secretary of Higher Education (the “Secretary”) with such changes, modifications and additions as are approved by the President and such changes, modifications and additions shall be conclusively evidenced by the submission of the Application to the Secretary. This Board expressly directs and authorizes the President to submit the Long-Range Capital and Deferred Maintenance Plans in the Application to the Secretary. This Board acknowledges and agrees that approval of the Application and receipt of funds pursuant to the Bond Act will obligate Union County College to (a) provide funds for the operation and maintenance of the Project (b) contribute 25% of the cost of the Project, and (c) fulfill other conditions imposed under the Bond Act and hereby directs and authorizes the President to certify such acknowledgement and agreement as part of the submitted Application. The President is hereby authorized and directed to fulfill all conditions of the Bond Act including without limitation providing for the operation and maintenance of the Project and using available funds of Union County College to pay for such operation and maintenance and to satisfy conditions of the Bond Act to contribute

to 25% of the cost of the Project from available funds of Union County College, and

BE IT FURTHER RESOLVED that the Board of Trustees declares that The Board Chairperson, the Board Secretary, the President and the Vice President for Financial Affairs and Treasurer (each an "Authorized Officer") are each hereby authorized and directed to approve, execute and deliver any and all agreements necessary to undertake and implement the Project and any and all other documents and instruments in the form approved by the Authorized Officers executing the same in the name of and on behalf of Union County College in as many counterparts as may be necessary, and to affix or impress the official seal of Union County College thereon and to attest the same and such execution and attestation will be conclusive evidence of the approval of the form and content of such agreements and other documents and instruments necessary to undertake and implement the Project. The Authorized Officers are further authorized and directed to do and perform such other acts and to take such other actions as may be necessary or required, or which may be deemed to be appropriate to implement the purposes of this resolution to undertake and implement the Project.

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

Resolution B021-007 - Union County Vocational Technical School Lease in Scotch Plains

WHEREAS, Union County Vocational Technical School (UCVTS) is desirous of leasing approximately 23,000 square feet (the entire second floor) of the University Center Building in Scotch Plains during school hours for UCVTS to operate a supply chain management program, the construction and renovation of which would be funded by the Securing our Children's Future Bond Act Grant with UCVTS being the applicant, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-12(l), states that the Board of Trustees is authorized to lease, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for college purposes, and

WHEREAS, this lease would be from September 1, 2022 through August 31, 2044, during secondary school hours only, with the College retaining possession of the premises for evening classes, at an initial rent annual rent of \$72,000 for years 1-3, with escalations of rent every successive three years as follows: rent of \$73,440 for years 4-6, rent of \$74,916 for years 7-9, rent of \$76,416 for years 10-12, rent of \$77,952 for years 13-15, rent of \$79,511 for years 16-18, rent of \$81,108 for years 19-21, and a rent of \$83,541 for year 22. The lease is conditioned upon UCVTS obtaining the Securing our Children's Future Bond Act Grant. If this funding is not obtained, the parties will work together to review other options;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College agrees to grant Union County College authority to enter into a lease from September 1, 2022 through August 31, 2044 with Union County Vocational Technical School, New Jersey for the approximate 23,000 square foot space located on the second floor of the University Center Building in Scotch Plains during secondary school hours at the initial annual rent of \$72,000 with the escalation of rent as stated above for a total of \$1,689,570 for the full term of the lease.

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

OPEN MEETING TO THE PUBLIC

No one came forward to speak.

UNFINISHED BUSINESS

There was no unfinished business to report

NEW BUSINESS

Mr. Richel stated that the next meeting is a Joint Meeting scheduled for Tuesday, March 23, 2021. It is scheduled for the Cranford campus, but Dr. Segal will be in touch closer to the meeting with specifics given our current limitations.

EXECUTIVE SESSION

There was no Executive Session this month.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Dr. Tasharofi and seconded by Mr. Castro at 7:39 p.m.