

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

**BOARD OF TRUSTEES
Minutes of Meeting
March 21, 2023**

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 6:30 p.m. in Room K-517 in the Kellogg Building on the Elizabeth Campus. The following were in attendance:

TRUSTEES

Mr. Richel; Rafael J. Betancourt, Esq.; George A. Castro, II; Miguel A. Figueredo; Jeffrey H. Katz, Esq.; Anjali Mehrotra; Miguel A. Merino; Daryl Palmieri; Dr. Kamran Tasharofi; Mary M. Zimmermann; Dr. Margaret M. McMenamin, President.

GOVERNORS

Mr. Richel; Mr. Betancourt; Tamecka Dixon; Donna M. Herran; Gary S. Horan; Mr. Katz; J. Anthony Manger, Esq.; James Roundtree III; Mrs. Zimmermann.

ALSO PRESENT

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

A quorum of the Board of Trustees was present.

OPEN PUBLIC MEETING ACT

Completed.

MINUTES

On motion duly made by Mr. Castro and seconded by Mr. Katz, the Minutes of the Meeting of the Board of Trustees of February 21, 2023 were approved as submitted.

COMMUNICATIONS

Completed.

REPORTS OF JOINT TRUSTEES AND GOVERNORS' COMMITTEES

AUDIT COMMITTEE

Mr. Horan stated to the Board that at the Audit Committee meeting held earlier, Mr. Saul Wagner of PKF O'Connor Davies reported that an audit of the Purchasing Card was performed with a few minor finds where corrections have already been put into place. He also stated that Mr. Wagner conducted an audit of the FAFSA and New Jersey Financial Aid and Scholarships no exceptions were noted.

Mr. Horan stated that also at the Audit Committee meeting, Mr. Andy Lee of CliftonLarsonAllen presented an overview of the audit process which was performed for the fiscal year ending June 30, 2022, and stated that an unmodified opinion was issued.

Mr. Horan also reported that Mr. Luke Winter of CliftonLarsonAllen performed an audit of Credit Hour Enrollments and no deficiencies or weaknesses were noted. He also reviewed the upcoming GASB#78 regarding leases the College maintains.

Mr. Horan submitted the following Resolutions for approval:

Resolution A023-001 - Acceptance of FY 2022 Audit and Other Reports

WHEREAS, the Board of Trustees of Union College of Union County, New Jersey adopted a resolution on February 22, 2022 that appointed the audit firm of CliftonLarsonAllen LLP as its Independent Auditor, and

WHEREAS, the audit firm of CliftonLarsonAllen LLP has completed (1) an audit of the College's basic financial statements as of, and for fiscal years ended June 30, 2022, including the Single Audit Schedules of Expenditures of Federal Awards, and State Financial Assistance for the fiscal year ended June 30, 2022 with a Report on Internal Controls Over Financial Reporting and on Compliance and Other Matters prepared in conjunction with its audit and (2) an examination in accord with "agreed-upon procedures" applied to the College's reporting requirements for fundable credit hours for the fiscal year ended June 30, 2022, and

WHEREAS, all of its audits were conducted in accordance with Government Auditing Standards, issued by the Comptroller General of the United States; and in compliance with audit requirements as prescribed by the Department of Treasury, State of New Jersey, and its examination of "agreed-upon procedures" was conducted to procedures developed by the Council of County Colleges for use by the Department of Treasury;

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey accepts CliftonLarsonAllen LLP Independent Auditor's Report of Union County College basic financial statements as of, and for the fiscal years ended, June 30, 2022, the Single Audit Schedules of Expenditures of Federal Awards, and State Financial Assistance for the fiscal year ended June 30, 2022, the Report on Internal Control over Financial Reporting and On Compliance and Other Matters prepared in conjunction with its audit, and the Report on Applying Agreed Upon Procedures to the College's fundable credit hours for the fiscal year ended June 30, 2022.

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

EDUCATIONAL PLANNING AND POLICY COMMITTEE

Mrs. Zimmermann reported to the Board that at the Educational Planning and Policy meeting held earlier, Dr. Lown discussed the students in the theater program and the Union College Dramatics

Society (drama club) and the numerous opportunities they have each year to participate in live performances. Mrs. Zimmermann reported that Dr. Ziner provided the results of the 2016, 2018 and 2020 RNL Student Satisfaction Inventory for 8 effectiveness scales. She stated that as of March 21, 2023, enrollment for Summer I is -45.74% in FTE hours and Summer II is -19.6% in FTE hours. Mrs. Zimmermann reported that Dr. Ziner provided the results of the Academic Program Review from spring 2022. Mrs. Zimmermann reported that as of January 17, 2023, spring enrollment is -1.3% in FTE hours.

Mrs. Zimmermann submitted the following Resolutions for approval:

Resolution E023-009 - Faculty Personnel Actions

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

Reappointments:

Emma Trevena, Librarian I, Academic Affairs, effective September 1, 2023 to May 31, 2024.

Casey Williams, Librarian I, Academic Affairs, effective September 1, 2023 to May 31, 2024.

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

Resolution E023-010 - Staff Personnel Actions

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

Appointments:

Christian Martens, Custodian, Finance & Operations, effective January 26, 2023, \$29,390 per annum.

Paola Bastos, Custodian, Finance & Operations, effective February 21, 2023, \$29,390 per annum.

Kathleen Clarke-Anderson, Coordinator of Center for Adult Transitions, Student Development, effective February 21, 2023, \$57,000 per annum.

Jodie Schoch, Academic Specialist and Director of Clinical Education, Respiratory Care, Academic Affairs, effective February 21, 2023, \$90,000 per annum.

Morgan Stiles, Communication Center Coordinator, Administrative Services, effective February 27, 2023, \$53,000 per annum.

Cloteal Webb, Student Services Associate, Student Development, effective February 27, 2023, \$35,337 per annum.

Sarah Harris, EMT Skill Lab Coordinator, Academic Affairs, effective March 1, 2023, \$58,000 per annum.

Gerard Lewis, Maintenance Mechanic Helper, Finance & Operations, effective March 6, 2023, \$31,394 per annum.

Dr. Mohamed Mohamed, Director of Student Research and Science Laboratories, Academic Affairs, effective March 13, 2023, \$83,000 per annum.

Marquis Duncan, Intercampus Shuttle Van Driver, Finance & Operations, effective March 20, 2023, \$36,360 per annum.

Employment Separations:

Quentin Lowery, Maintenance Mechanic, Finance & Operations, effective March 3, 2023.

Annette Castro, Student Services Associate, Administrative Services, effective May 1, 2023.

James Eimont, Media Coordinator, Academic Affairs, effective May 31, 2023.

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

Resolution E023-011 - Adjunct Faculty of New Jersey, Local 2222, AFT, AFL-CIO

WHEREAS, the agreement between Union College of Union County, NJ (“College”) and the Union County College Chapter of the United Adjunct Faculty of New Jersey, Local 2222, AFT, AFL-CIO (“Bargaining Unit”) expired on August 31, 2022, and

WHEREAS, the College and the Bargaining Unit have reached an agreement on a three-year contract for the period of September 1, 2022 to August 31, 2025, at an increase in the salary per credit hour of 3.0% for 2022-2023; 3.5% for 2023-2024; and 3.5% for 2024-2025, and

WHEREAS, the revised contract also changes the maximum number of paid courses per professional development session from three to four, allows for participation in College committees with divisional approval, and changes other wording for clarity and administrative purposes, and

WHEREAS, on March 14, 2023 the Bargaining Unit notified the College that it had ratified the contract with the College for the period of September 1, 2022 to August 31, 2025, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of

Union County, NJ approves the contract with the Union County College Chapter of the United Adjunct Faculty of New Jersey, Local 2222, AFT, AFL-CIO for the period of September 1, 2022 to August 31, 2025.

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

Resolution E023-012 – Policy on Policies

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ approves the Policy on Policies.

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

Resolution E023-013 - College Policies

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ approves the following policies attached as Exhibit 1: 200-1 Academic Dismissal Probation Policy, 200-2 Academic Forgiveness Policy, and 200-3 Academic Freedom Policy.

On motion duly made by Mrs. Zimmermann, seconded by Mr. Castro 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 January 31, 2023, to March 3, 2023, Public Safety advises that two checks mailed to students from Student Accounts were stolen and fraudulently cashed. She stated that this matter is being investigated by the Cranford Police Department. There are no other 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 of out-of-county students 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, legal, insurance and software costs. He stated that State funding is up \$615 thousand due to the new funding formula.

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 \$3.2 million is anticipated for fiscal year ended June 30, 2023.

Mr. Betancourt presented the following Resolutions for approval:

Grant Resolution

Resolution F023-033 - Amendment to Carl D. Perkins Strengthening Career and Technical Education for the 21st Century Grant ("Perkins")

WHEREAS, Union College of Union County, New Jersey as a comprehensive community college, seeks to provide career occupational training programs to prepare Union College of Union County, New Jersey students and other Union County residents for employment, and

WHEREAS, the Carl D. Perkins Strengthening Career and Technical Education for the 21st Century Grant ("Perkins") is a Federally authorized Grant whose aim is to increase the academic achievement of career and technical education students and strengthen the connections between secondary and post-secondary education, and

WHEREAS, on September 27, 2022, the College submitted the final phase of its Spending Plan to the State of New Jersey Department of Education for Perkins grant funding for the fiscal year end June 30, 2023, and

WHEREAS, on September 30, 2022, the State of New Jersey Department of Education notified Union College of Union County, New Jersey that its Perkins application was “approved” for the amount of \$855,773 and, as a consequence, obligations against these funds were permissible effective that date, and on November 2, 2022, the Board of Trustees accepted this funding, and

WHEREAS, the State of New Jersey Department of Education requires that reallocations of budgeted amounts between and among Spending Plan component line items be presented through an amendment to the Spending Plan, and

WHEREAS, revisions to needs of the College result in reallocations of the total amount budgeted among component line items as detailed on attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey hereby approves the amendment to the Spending Plan of the Carl D. Perkins Strengthening Career and Technical Education for the 21st Century Grant as detailed in Exhibit A of this Resolution.

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

Contracts Exempt from Competitive Bidding

Resolution F023-034 - Student Services and Admission Departments- Furniture Redesign

WHEREAS, the College requires a furniture redesign for the student services and admissions departments, 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 an exception to the requirement of advertising for bids when there is a state contract for the product or service, and

WHEREAS, Business Furniture Inc., DbA BFI, Elizabeth, NJ submitted proposals for the student services and admission departments furniture redesign as follows:

Manufacturer	State Contract Number	Cost
Herman Miller	#A81620	\$ 1,229
Sit On It	#81711	\$ 6,816
Sit On It	#81711	\$ 4,956
Waveworks	#A81721	\$19,234
Miscellaneous Frames Base, Covers, Service Tops	#A81620	<u>\$23,441</u>
	Total	\$55,676

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 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 College of Union County, New Jersey 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 College of Union County, New Jersey award a contract to Business Furniture Inc., DbA BFI, Elizabeth, NJ for the student services and admission departments furniture redesign at a cost not to exceed \$55,676.

Resolution F023-035 - Skillsmatch and Skillabi Learning Outcome Licenses and Consulting

WHEREAS, shifts in the greater economy and career landscape due to the pandemic necessitate tools which will align our learning outcomes to workplace skills which will allow improvement both in our employment readiness and curriculum offerings, in support of the mission of the College, and

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

WHEREAS, the County College Contracts Law, N.J.S.A.18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, on November 9, 2021, the Board of Trustees accepted \$2,949,492 under the Title V Development Grant by the U.S. Department of Education for funding to increase the retention, graduation, transfer, and career readiness of Hispanic & low-income students enrolled in Education, Business and Graphic Design (EBGD) Programs for the period of October 1, 2021 through September 30, 2026, and

WHEREAS, Economic Modeling, LLC, DbA EMSI, Moscow, ID has provided a renewal for analytical software that supports curriculum-building at a cost of \$6,500 for Fiscal Year 2022-2023, which was under the threshold of \$37,500 and did not require Board of Trustee approval, and

WHEREAS, on November 2, 2022, the Board of Trustees awarded a contract to Economic Modeling, LLC, Dba EMSI, Moscow, ID for an economic impact study in an amount not to exceed \$18,000, and

WHEREAS, Economic Modeling, LLC, Dba EMSI, Moscow, ID has submitted a proposal not to exceed \$27,000 to provide Skillsmatch and Skillabi licenses and consulting, which provides an interactive web-based tool, along with a consulting team, to review course offerings and program learning outcomes and to align those to work based skills as required by employers as found in the local job market to enhance both employment readiness and curriculum offerings for the period of May 1, 2023 through April 30, 2024, and

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

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

WHEREAS, Economic Modeling, LLC, Dba EMSI, Moscow, ID has completed and submitted their 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 prohibit from making any reportable contributions through the term of their 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 Economic Modeling, LLC, Dba EMSI, Moscow, ID to provide Skillsmatch and Skillabi learning outcome licenses and consulting for a total cost not to exceed \$27,000 for the period of May 1, 2023 through April 30, 2024, for a total award not to exceed \$51,500 for Fiscal Year 2022-2023.

Resolution F023-036 - Professional Development Training

WHEREAS, the College requires professional development training for best practices on teaching and learning, in support of the mission of the College, and

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

WHEREAS, the County College Contracts Law, N.J.S.A.18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, on November 9, 2021, the Board of Trustees accepted \$2,949,492 under the Title V Development Grant by the U.S. Department of Education for funding to increase the retention, graduation, transfer, and career readiness of Hispanic & low-income students enrolled in Education, Business and Graphic Design (EBGD) Programs for the period of October 1, 2021 through September 30, 2026, and

WHEREAS, Teachinghow2s LLC, Clearwater, FL has submitted a proposal for a collaborative learning platform for faculty that facilitates professional development for a three (3) year subscription at a cost not to exceed \$86,653 per year for a total cost not to exceed \$259,959, for the period of April 1, 2023 through March 31, 2026, and

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

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

WHEREAS, Teachinghow2s LLC, Clearwater, FL has completed and submitted their 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 Teachinghow2s LLC, Clearwater, FL to provide professional development training at a cost not to exceed \$86,653 a year for a total cost not to exceed \$259,959, for the period of April 1, 2023 through March 31, 2026.

Resolution F023-037 - Professional Marketing Services

WHEREAS, the College has a need for professional marketing services to increase enrollment through unified branding and advertising efforts and to publicly tout key academic programs, accomplishments, and strengths, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5. a.(15) provides for an exception to the requirement of advertising for bids for professional consulting services, and

WHEREAS, on April 19, 2022, the Board of Trustees awarded contracts to Stamats Communications Inc, Cedar Rapids, IA for a complete marketing survey analysis of media service activities (e.g., campaign metrics, performance, recent recruitment funnel, enrollment, and student data etc.) for a twelve (12) month term for the period May 1, 2022 through April 30, 2023, at a cost not to exceed \$289,000, and

WHEREAS, on April 19, 2022, the Board of Trustees also awarded contracts to SG&W Integrated Marketing Communications Inc., Montville, NJ for implementation of an integrated marketing service program with a multi-faceted marketing strategy for all forms of media targeting both traditional students and non-traditional students for twelve (12) months for the period of May 1, 2022 through April 30, 2023, at a cost not to exceed \$100,000, and

WHEREAS, on January 2, 2023, the contract with Stamats Communications Inc, Cedar Rapids, IA was cancelled leaving unexpended funds, and

WHEREAS, the College is requesting to allocate \$35,000 of the unexpended funds to SG&W Integrated Marketing Communications Inc., Montville, NJ for additional cable and streaming ads for promotion of the Summer 2023 and Fall 2023 semesters, and

WHEREAS, SG&W Integrated Marketing Communications Inc., Montville, NJ has submitted a proposal for an integrated marketing service program for twelve (12) months for the period of May 1, 2023 through April 30, 2024, at a cost not to exceed \$200,000, 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, SG&W Integrated Marketing Communications, Montville, 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 previous one year, 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 increase the award to SG&W Integrated Marketing Communications, Montville, NJ at a cost of \$35,000 for a total award not to exceed \$135,000 for Fiscal Year 2022-2023.

BE IT FURTHER RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to SG&W Integrated Marketing Communications, Montville, NJ, for continuation of the integrated marketing service program for twelve (12) months at a cost not to exceed \$200,000 for the period of May 1, 2023 through April 30, 2024.

Resolution F023-038 - Practical Nursing Comprehensive Review Courses

WHEREAS, the College has a need to provide students enrolled in the Licensed Practical Nurse (LPN) with comprehensive review courses, including electronic resources, to enhance and evaluate student's knowledge of content and to prepare them to pass the National Council Licensure Examination (NCLEX-PN), 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 an exception to the requirement of advertising for bids in the provision of textbooks, copyrighted materials including without limitation books, periodicals and other printed or published matters, and

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

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(19) provides for an exception to the requirement of advertising for bids in the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, on June 21, 2022, the Board of Trustees authorized the College to obligate The Carl D. Perkins Career and Technical Education for the 21st Century Grant funds in advance of accepting the funds to fully utilize Perkins funding for Fiscal Year 2022-2023, and

WHEREAS, on June 21, 2022, the Board of Trustees awarded a contract to Ascend Learning Holdings, LLC, Db a Assessment Technologies Institute LLC, Leawood, KS to provide a comprehensive review course from enrollment to completion for students enrolled in the LPN program consisting of an on-site review, online resources and an assessment to help predict student success on the NCLEX-PN at a cost not to exceed \$134,676, and

WHEREAS, Ascend Learning Holdings, LLC, DbA Assessment Technologies Institute LLC, Leawood, KS has submitted an additional proposal not to exceed \$36,135 to provide a comprehensive review course from enrollment to completion for students enrolled in the LPN program consisting of an on-site review, online resources and an assessment to help predict student success on the NCLEX-PN for the spring 2023 semester, and

WHEREAS, the Vice President of Finance and Operations has determined that this purchase is within the stated purpose and goals of The Carl D. Perkins Career and Technical Education for the 21st Century Grant funds, 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 value of the acquisition will exceed \$17,500, and

WHEREAS, Ascend Learning Holdings, LLC, DbA Assessment Technologies Institute LLC, Leawood, KS has completed and submitted their 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 Ascend Learning Holdings, LLC, DbA Assessment Technologies Institute LLC, Leawood, KS to provide practical nursing comprehensive review courses that meet the needs of students enrolled in the LPN program at cost not to exceed \$36,135, for a total award not to exceed \$170,811 for Fiscal Year 2022-2023.

Resolution F023-039 - Annual OKTA Software Renewal and Computer Hardware

WHEREAS, the College requires annual renewal of OKTA software as the College's Single Sign On (SSO) and Multi Factor Authentication (MFA) tool to authenticate logins creating a more secure environment and the purchase of computer hardware, 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 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, on December 6, 2022, the Board of Trustees awarded a contract to Aspire Technology Partners, LLC, Eatontown, NJ for firewall upgrades and professional service for a total award not to exceed \$566,689, and

WHEREAS, Aspire Technology Partners, LLC, Eatontown, NJ has submitted a proposal under National Cooperative Purchasing Alliance (NCPA) as follows:

Description	Contract No.	Cost
OKTA multifactor Login with Self-Services abilities March 22, 2023-March 21, 2024	#01-86	\$88,911
Cisco Room Navigator Table Stand Version	#01-96	\$ 1,774
Cisco Webex Room Navigator Table Stand	#01-96	\$ 241
Total		\$90,926

WHEREAS, the cost for the same OKTA software was \$84,224 for the previous twelve-month period, 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 annual OKTA software renewal and computer hardware at a cost not to exceed \$90,926, for a total award not to exceed \$1,533,895 for Fiscal Years 2022-2024.

Resolution F023-040 - Graphic Design Lab Hardware- Cranford Campus

WHEREAS, the College is designing a graphic design lab, in support of the mission of the College, and

WHEREAS, on September 21, 2021, the Board of Trustees accepted \$998,000 from the State of New Jersey, Office of the Secretary of Higher Education for the Governor's Emergency Education Relief Fund II (GEERF II) Grant through the Opportunity Meets Innovation Challenge (OMIC) of which \$468,900 in funds was earmarked for "Research Innovation and Talent" development for the period June 1, 2021 through September 30, 2023, 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-25.11.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 which was under the threshold of \$7,500 and presented on the "Report of Authorized Payments in Excess of Original Award" which did not require Board of Trustee approval, and

WHEREAS, on December 6, 2022, the Board of Trustees awarded contracts to SHI International Corp., Somerset, NJ for software licenses, network maintenance support, hardware, and professional services in an amount not to exceed \$102,030, and

WHEREAS, on January 17, 2023, the Board of Trustees awarded contracts to SHI International Corp., Somerset, NJ for hardware equipment in an amount not to exceed \$71,522, and

WHEREAS, on February 21, 2023, the Board of Trustees awarded contracts to SHI International Corp., Somerset, NJ for Hardware and Software equipment in the amount not to exceed \$19,001, and

WHEREAS, SHI International Corp., Somerset, NJ submitted a proposal for the graphic design lab hardware under NJ Edge Cooperative contract #269EMCPS-21-001-EM-SHI as follows:

Description	Quantity	Total Cost
Dell-OptiPlex 7400 AIO	20	\$ 42,900
Apple iMac with Retina 5K display all-in-one	20	\$ 39,480
Apple 10.9 iPad air Wi-Fi	40	\$ 28,160
Apple Pencil Tablet	40	\$ 5,000
UGEE M7008 Graphics Tablet	40	\$ 2,655
HP-Design Jet Z6dr PostScript Format Printer	2	\$ 13,098
MakerBot Replicator 3D Printer	2	\$ 4,000
Bretford Cube Mini TVCM24USBC-Cart	2	\$ 4,061
	Total	\$139,354

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 graphic design lab hardware- Cranford Campus at a cost not to exceed \$139,354 for a total award not to exceed \$1,242,723 for Fiscal Year 2022-2023.

Resolution F023-041 - Spend \$17,500-\$37,499

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 a contract between \$17,500 and \$37,499 to the listed vendor for a total spend of \$32,500.

On motion duly made by Mr. Betancourt, seconded by Mr. Castro and unanimously carried, the Board approved Resolutions F023-034 through F023-041 for adoption.

Resolution F023-042 - 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 \$410.

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 Mr. Castro and unanimously carried, the Board approved the Resolution for adoption.

BUILDINGS AND GROUNDS

Mr. Katz reported that there were two changes to the Project Prioritization List, and noted the revised format of the list.

Mr. Katz presented the following Resolutions for approval:

Resolution B023-005 - HVAC Repair Science Building-Cranford Campus

WHEREAS, the College requires HVAC repairs in the Science Building-Cranford campus, in support of the mission of the College, and

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

WHEREAS, McCloskey Mechanical Contracts, Inc., Blackwood, NJ submitted a proposal under Hunterdon County Educational Service Commission (HCESC) contract # HCESC-SER-21A at a cost not to exceed \$938,307, and

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

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

WHEREAS, HCESC utilized competitive bidding for the awards of contracts to McCloskey Mechanical Contracts, Inc., Blackwood, NJ thereby releasing Union College of Union County, New Jersey from the requirement to obtain Pay-to-Play documentation, and

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

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract to McCloskey Mechanical Contracts, Inc., Blackwood, NJ for HVAC repair in the Science Building-Cranford campus at a cost not to exceed \$938,307.

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

Resolution B023-006 - Utility Separation-Scotch Plains Campus

WHEREAS, the College requires a separate utility meter on the Scotch Plains Campus as it is currently combined with the Union County Vocational-Technical High School, in support of the mission of the College, and

WHEREAS, a request for bids was publicly advertised in the Star Ledger, Newark, NJ on December 22, 2022 for the utility separation on the Scotch Plains Campus, and

WHEREAS, the bid invitation was also distributed to thirteen (13) vendors and two (2) bids were received and opened publicly on February 21, 2023, and

WHEREAS, EII Inc., Cranford, NJ submitted the lowest responsible bid for the utility separation on the Scotch Plains Campus at a cost not to exceed \$520,870, 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 EII Inc., Cranford, NJ for the utility separation on the Scotch Plains Campus at a cost not to exceed \$520,870.

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

Cell Tower Update:

Mr. Katz reported that the Court has allowed a deadline of July 1, 2023 for discovery.

Campus Projects:

Mr. Katz reported on the various ongoing projects on all four campuses.

OPEN MEETING TO THE PUBLIC

No one addressed the Board.

UNFINISHED BUSINESS

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

Mr. Betancourt read the following Resolution:

Resolution PT023-003 - Resolution Authorizing a Closed Session of the Board of Trustees of Union College of Union County, NJ

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

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

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

1. The Board of Trustees of Union College shall hold a closed meeting on March 21, 2023 from which the public shall be excluded.
2. The Executive Session will convene at approximately 6:55 p.m. and is expected to last until approximately 7:15 p.m.
3. The Board of Governors is invited to attend this meeting.
4. The general nature of the subjects to be discussed at said closed meeting involves potential litigation, contract negotiation, and employee compensation.
5. The Minutes of said closed meeting shall be made available for disclosure to the public consistent with N.J.S.A.10:4-14, when the item which is the subject of the closed session is resolved and a reason for confidentiality no longer exists.

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

The meeting went into Executive Session and the meeting resumed at 7:10 p.m.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Mrs. Zimmermann, seconded by Mr. Castro at 7:10 p.m.