

UNION COUNTY COLLEGE
Cranford, New Jersey

BOARD OF TRUSTEES
Minutes of Meeting
April 20, 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.; I; Edward J. Chrystal, Jr.; Daniel J. Connolly; Daryl Palmieri; Dr. Kamran Tasharofi; Mary M. Zimmermann; Holly Stefanik; Dr. Margaret M. McMenamin, President.

GOVERNORS

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

ALSO PRESENT

Denise Collins; Dr. Demond T. Hargrove, Vice President of Student Development; Michael M. Horn, Esq., McCarter English; Dr. Maris Lown, Vice President of Academic Affairs; Dr. Jaime M. Segal; Lynne A. Welch, Vice President, Financial Affairs and Treasurer.

A quorum of the Board of Trustees was present.

OPEN PUBLIC MEETING ACT

Dr. Segal read the following statement: 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, April 20, 2021 at 7:00 p.m. in the Executive Education Center on the Cranford campus. 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 April 15, 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 March 23, 2021 were approved as submitted.

COMMUNICATIONS

There were no communications to report.

INSIDE THE COLLEGE

Mrs. Welch provided the Board with a COVID-19 update as it relates to the protocols in place and activities of the various departments of the Finance Division.

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 March 30, 2021, the College participated in the New Jersey Council for the Humanities program, the Democracy Conversation Project, where the topic was “Who Votes in a Democracy?”
- Dr. Carlos Barrezueta, Dean of Social Sciences, Business, and History has left the College to serve U.S. Senator Robert Menendez as a Senior Policy Advisor in his Washington, DC office.
- On March 18, 2021, the College Novel Committee presented a Students’ Virtual Art Exhibition, “My Art is My Weapon,” composed of works by Union students representing the theme of social justice.
- On Saturday, March 20, 2021, as part of the Alternative Spring Break activities, 11 students from the College’s Humane Society and the Academic Learning Center took part in a two-hour cleanup in Nomahegan Park.
- For a fourth consecutive year, the women’s basketball team won the National Junior College Athletic Association (NJCAA) Region 19 Championship. and are now heading to the National Championship in Hickory, NC from April 20-24.

Dr. McMenamin ended her report offering her sincere thanks to the boards for their service to the College.

REPORTS OF JOINT TRUSTEES AND GOVERNORS’ COMMITTEES

MARKETING COMMITTEE

Mrs. Zimmermann reported that at the Marketing Committee meeting held earlier today, Frank Giarratano from SGW Integrated Marketing recapped the campaigns developed last year, and then gave a preview of the plan for Fall 2021. She stated that the contract with SGW expires at the end of this month, and a Resolution to renew with them for one year is being recommended for adoption by the Trustees by the Budget & Finance Committee. Mrs. Zimmermann reported that the plan for Fall 2021 includes a general enrollment campaign, with a separate focus on non-traditional students, as well as a campaign focusing on Financial Aid and driving traffic to Remote Student Services where the tactics will be digital, paid social media, cable, and streaming.

EDUCATIONAL PLANNING AND POLICY COMMITTEE

Mrs. Zimmermann reported to the Board that at the Educational Planning and Policy meeting held earlier that Dr. Hargrove reported on the various student athletics sports programs and also how the student athletes have handled the pandemic. She also reported that as of April 13, 2021, enrollment for Summer I is +69.1% and enrollment for Summer II is +79.8%.

Mrs. Zimmermann submitted the following Resolutions for approval:

Resolution E021-011 - Staff Personnel Actions

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

Staff Appointments:

Derick Felix, Student Services Generalist (CCOG), Student Development, effective April 5, 2021, \$42,010 per annum.

Kristin Kulick, Coordinator, (CCOG), Student Development, effective April 12, 2021, \$53,966 per annum.

Staff Promotions/Reclassifications/Reinstatements:

Samuel Casimir, Director of EOF from Assistant Director of EOF, Student Development, effective January 25, 2021, \$74,082 per annum.

Terrence Harris, Assistant Director of EOF from Student Services Specialist, Student Development, February 15, 2021, \$57,880 per annum.

Dr. Marlene White, Associate General Counsel/Executive Director of Procurement from Associate General Counsel, effective April 16, 2021, \$108,525 per annum.

Staff Employment Separations:

Dr. Carlos Barrezueta, Dean of Social Sciences, Business and History, Academic Affairs, effective April 14, 2021.

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

Resolution E21-012 - Dual Admissions Program Agreement with Saint Peter's University

WHEREAS, an Agreement has been reached between Union County College, New Jersey and Saint Peter's University, New Jersey to facilitate the admission and seamless transition from Union County College, New Jersey, to St. Peter's University, New Jersey (Exhibit 1), and

WHEREAS, the parties have identified that students who have earned an A.A. or A.S. degree in Qualifying Programs and meet Saint Peter's University admissions requirements 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 Agreement between Union County College, New Jersey, and Saint Peter's University, New Jersey (Exhibit 1), and

BE IT FURTHER RESOLVED that College officials be authorized to approve the Agreement between Union County College, New Jersey, and Saint Peter's University, New Jersey.

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

Resolution E021-013 - Academic Partnership agreement – Western Governors University

WHEREAS, an Academic Partnership Agreement has been reached between Union County College, New Jersey and Western Governors University (WGU), Salt Lake City, UT, to provide graduates and employees with a streamlined approach to higher education and professional development through online college courses at Western Governors University, Salt Lake City, UT (Exhibit 1), and,

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College, New Jersey approves the Academic Partnership Agreement between Union County College, New Jersey and Western Governors University, Salt Lake City, UT, (Exhibit 1), and,

BE IT FURTHER RESOLVED that College officials be authorized to approve the Academic Partnership Agreement between Union County College, New Jersey and Western Governors University, Salt Lake City, UT, (Exhibit 1).

On motion duly made by Mrs. Zimmermann, seconded by Mr. Betancourt 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 March 9, 2021 to April 6, 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 March 31, 2021 and stated revenue is down approximately 7.08% resulting from a year to date 9.37% 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. Bashe 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.

Current Estimate Report:

Mr. Connolly reviewed the Current Estimate Report and stated that at this time, a transfer to Unrestricted Net Position of \$4.6 million is anticipated for fiscal year ended June 30, 2021.

President's Expense Reports:

Mr. Connolly stated that the President's Expense Reports were reviewed and all information was found to be in order.

Mr. Connolly presented the following Resolutions for approval:

Grant Resolutions

Resolution F021-052 - Displaced Homemaker Program

WHEREAS, Union County College, as a comprehensive community college, seeks to provide career occupational training programs designed to assist displaced homemakers in Union County, and

WHEREAS, the College received notification on March 31, 2021 that the contract with the State of New Jersey Department of Children and Families for funding for the Displaced Homemaker Program has been renewed for the period July 1, 2021 through June 30, 2022, and

WHEREAS, the College will continue to provide job counseling and other supportive services for women of Union County through the Displaced Homemaker Program which provides expanded services with a priority to educational training to displaced homemakers who have been dependent on the income of another household member, which has been lost due to such hardships as death or disablement of a spouse, separation or divorce, and

WHEREAS, Union County College is expected to service 90 clients during the duration of this program by assisting qualified individuals to successfully complete a short term certificate/course program that will lead to future employment, and

WHEREAS, Union County College will provide the required documentation to the State of New Jersey, Department of Children and Families by the due date of May 3, 2021 for the renewal of the Displaced Homemaker Program;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College accepts \$169,999 from the State of New Jersey Department of Children and Families for the renewal of the Displaced Homemaker Program for the Fiscal Year 2021-2022.

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

Contracts Exempt from Competitive Bidding

Resolution F021-053 - Professional Marketing Services

WHEREAS, the College has a need for professional marketing services to stem the anticipated disastrous economic impact due to the ongoing COVID-19 epidemic and promote key academic programs and affordability in an effort to increase enrollment through unified branding and advertising 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.(15) provides for an exception to the requirement of advertising for bids for professional consulting services, and

WHEREAS, on April 21, 2020, the Board of Trustees awarded a contract to SG&W Integrated Marketing Communications, Montville, NJ for multi-faceted marketing strategy for all forms of media for a total award not to exceed \$200,000 for the period of May 1, 2020 to April 30, 2021, and

WHEREAS, SG&W Integrated Marketing Communications, Montville, NJ has submitted a proposal at a cost not to exceed \$200,000 to implement an integrated marketing approach with a multi-faceted marketing strategy for all forms of media targeting both traditional students and non-traditional students for a twelve (12) month term for the period May 1, 2021 to April 30, 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 Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

WHEREAS, the award of the contract to SG&W Integrated Marketing Communications, Montville, NJ is subject to the College's receipt of properly executed 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 Financial Affairs and Treasurer;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to SG&W Integrated Marketing Communications, Montville, NJ to provide professional marketing services at a cost not to exceed \$200,000 for the period May 1, 2021 to April 30, 2022.

BE IT FURTHER RESOLVED that the Board of Trustees of Union County College award a contract to SG&W Integrated Marketing Communications, Montville, NJ subject to the College's receipt of properly executed Pay to Play documentation certifying that they have not made and will not make any reportable contributions to a political or candidate committee pursuant to N.J.S.A. 19:44A-20.26 that would statutorily prohibit issuance of a purchase order or agreement execution.

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

Resolution F021-054 - Extension of On-Line Exam Proctoring Software and Support

WHEREAS, the College requires software and support services for proctoring of on-line course exams to ensure the integrity of exams, student submissions and grades, 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 for the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, on April 21, 2020, the Board of Trustees of Union County College awarded a one-year contract, with an option to renew for one year, to Verificent Technologies Inc., New York, NY and approved the use of the remaining \$347,000 of the original award for proctoring of on-line examinations, and

WHEREAS, due to the continued expectation of an increased need for on-line exam proctoring caused by the pandemic and remote classes, the College will need to exercise the second renewal to this contract until December 31, 2021, with \$212,014 remaining on the original award, 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 extends an award for the time period May 1, 2021 until December 31, 2021 and approve the use of the remaining award of \$212,014 to Verificent Technologies Inc., New York, NY for on-line exam proctoring software and support services.

Resolution F021-055 - Content Management Software and Maintenance and Electronic Signature Software

WHEREAS, support of technology applications including software licensing and maintenance are necessary components of the technological environment which is essential to the teaching and administrative functions in support of the mission of the College, and

WHEREAS, there is a need in response to the COVID-19 pandemic for a software application which will allow students, faculty and staff the availability of an electronic signature which is essential to ensure administrative continuity, especially for financial aid applications, 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 College has received Federal and State grant awards to cover costs associated with the disruption of campus operations due to the Coronavirus and the electronic signature purchase has been identified as a cost that is reimbursable under such funding, and

WHEREAS, Hyland LLC, Lenexa, KS has submitted a proposal to provide software and maintenance of ImageNow, the College's content management software and document imaging system, at a cost not to exceed \$53,854 for the Fiscal Year 2021-2022, and

WHEREAS, the cost for similar content management software for Fiscal Year 2020-2021 was \$51,289, and

WHEREAS, Hyland LLC, Lenexa, KS has also submitted a proposal to provide an electronic signature application for a total amount not to exceed \$57,734 which includes a one-time implementation fee of \$29,870, an annual subscription fee of \$21,890 based upon volume of 25,000 signatures and an annual maintenance fee of \$5,974 from April 21, 2021 through April 20, 2022, and

WHEREAS, the cost for similar electronic signature application software for Fiscal Year 2020-2021 was \$92,600, 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, Hyland LLC, Lenexa, 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 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 Financial Affairs and Treasurer;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to Hyland LLC, Lenexa, KS at a cost not to exceed \$111,588 for content management software and maintenance and electronic signature application from April 21, 2021 through June 30, 2022.

Resolution F021-056 - Electronic Signature Software

WHEREAS, there is a need in response to the COVID-19 pandemic for a software application which will allow students, faculty and staff the availability of an electronic signature which is essential to ensure administrative continuity, especially for financial aid applications, 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 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 19, 2020, the Board of Trustees of Union County College awarded a contract to DocuSign for electronic signature software at a cost not to exceed \$92,600 through April 27, 2021, and

WHEREAS, DocuSign of San Francisco, CA has submitted a proposal to provide electronic signature software based upon 15,000 signatures at a cost not to exceed \$74,400 for the period April 28, 2021 through April 27, 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 Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

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

WHEREAS, DocuSign of San Francisco, CA has submitted their Business Entity Disclosures and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and the contract will prohibit DocuSign from making any reportable contributions through the term of the contract, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to DocuSign, San Francisco, CA for electronic signature software not to exceed \$74,400 for the period April 28, 2021 through April 27, 2022.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved Resolutions F021-054 through F021-056 for adoption.

Resolution F021-057 - COVID-19 Air Ventilation Equipment Rental

WHEREAS, the College requires enhanced airflow ventilation and circulation during the COVID-19 pandemic crisis to ensure the safety of our College community, in support of the mission of the College, and

WHEREAS, the Center for Disease Control (CDC) recommends using multiple mitigation strategies to combat COVID-19, including ventilation system upgrades, to reduce the spread of disease and lower the risk of exposure. Ventilation system improvements allow for increased flow rates and improved indoor air quality, and are based on the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) guidelines for building operations during the pandemic, 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 November 2, 2020 the Board of Trustees approved the McKay Cooling Tower upgrade project, which will replace the cooling tower and HVAC condensing unit at the McKay Library at the Cranford campus, and

WHEREAS, with no HVAC system and the need for social distancing and enhanced air flow ventilation in light of the COVID 19 pandemic, the College requires rental of a 230-ton air cooled temporary chiller and a 25-ton DX unit for the basement area of McKay to adequately cool and circulate air flow, and

WHEREAS, Herc Rentals Inc., Bonita Springs, FL has submitted a proposal under OMNIA contract #201900038 to satisfy this safety need in an amount not to exceed \$125,000 for a five-month rental, and

WHEREAS, Herc Rentals Inc., Bonita Springs, FL has been awarded \$33,848 for the past twelve-month period for snow rental equipment, 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, OMNIA Partners utilized competitive bidding for the award of the contract to Herc Rentals Inc., Bonita Springs, FL 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 to Herc Rentals Inc., Bonita Springs, FL for rental of air ventilation equipment for MacKay Library at a total cost not to exceed \$125,000 for a five-month rental from May through September 2021.

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

BUILDINGS AND GROUNDS

Mr. Katz reported that there was one (1) deletion to the Project Prioritization List.

Cell Tower Update

Mr. Katz reported that reported that Verizon and other applicants are awaiting a written decision from the Cranford Zoning Board of Adjustment, which must be published within 45 days from the meeting held on March 22, 2021.

Mr. Katz presented the following Resolutions for approval:

Resolution B021-009 - Amendment to Union County Improvement Authority Renewable Energy Program

WHEREAS, Union County College has a desire to implement energy efficient programs at its facilities on all of its campuses, and

WHEREAS, on November 23, 2010, the Board of Trustees of Union County College authorized the College to enter into a Site Lease Agreement and Power Purchase

Agreement with the Union County Improvement Authority ("UCIA") and the Developer selected by the UCIA for a renewable energy program, including the installation of solar panels, and

WHEREAS, in connection therein the College entered into a fifteen-year agreement for a renewable energy program on May 1, 2011 with the UCIA and their choice of developer, Tioga Solar Union County 1, LLC. with offices in San Francisco, California, and

WHEREAS, at this time the UCIA desires to amend the original participant program documents to effect the acquisition by the UCIA of Tioga Solar Union County 1 LLC.'s interest in the renewable energy program to effectuate additional savings and to provide better responsiveness, with all other terms of the original agreement remaining in full force and effect, and

WHEREAS, the College desires to amend the original participant program documents to acknowledge that the UCIA shall acquire Tioga Solar Union County 1 LLC.'s interests in the renewable energy project and assume all rights and obligations under the agreement;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College hereby authorizes and directs the President of the College to execute Amendment No. 1 to the Site Lease Agreement and the Power Purchase in conformity with the terms of the amendment annexed to this Resolution as Exhibit A.

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

Contracts Requiring Competitive Bidding

Resolution B021-010 - Roy Smith Theater Renovation Change Order

WHEREAS, the College requires complete renovation of the Roy Smith Theater on the Cranford Campus to facilitate campus wide events and programs to promote the interests of the College to achieve its mission, and

WHEREAS, on March 24, 2020 the Board of Trustees awarded a contract to H&S Construction and Mechanical Inc. Elizabeth, NJ for the renovation for the Roy Smith Theater through a fair and open solicitation process at a cost not to exceed \$1,570,000, and

WHEREAS, a change order was initiated in the amount of \$38,818 to upgrade the seating in the Roy Smith Theater in order to achieve design standards, 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 acknowledges the change order to the contract award to H&S Construction and Mechanical, Inc., Elizabeth, NJ for \$38,818 for the Roy Smith Theater renovation for a total award not to exceed \$1,608,818.

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

Resolution B021-011 - Change Order for Plainfield Health Science Building Renovations Phase II

WHEREAS, the College has a need to refurbish and modernize signage at the Plainfield Campus for both branding and informational purposes, in support of the mission of the College, and

WHEREAS, on November 5, 2018, the Board of Trustees of Union County College awarded a contract to Mark Construction, Wallington, NJ for Plainfield Health Science Building - Phase II renovations and adjacent parking lot through a fair and open solicitation process at a cost not to exceed \$5,373,320, and

WHEREAS, a change order is requested in a not to exceed amount of \$80,000 for purchase and installation of a digital exterior sign, and

WHEREAS, the College has been awarded a Community Development Building Grant by the Union County Board of County Commissioners under award number #019-045 in the amount of \$52,000 in furtherance of this project, 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 acknowledges the change order to the contract award to Mark Construction, Wallington, NJ for a not to exceed amount of \$80,000 for purchase and installation of a digital exterior sign, for a total award not to exceed \$5,453,320.

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

Contract Exempt From Competitive Bidding:

Resolution B021-012 - Architectural and Engineering Services

WHEREAS, the College requires architectural and engineering services and bid specification development essential for the decommissioning and demolition of two (2) escalators in the Lessner Building, in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A-64A-25.5.a (1) provides for an exception to the requirement of advertising for bids for professional services, and

WHEREAS, Johnson and Urban, LLC, Colts Neck, NJ has submitted a proposal for architectural and engineering and bid specification development for the decommissioning and demolition of 2 escalators in the Lessner Building at a cost not to exceed \$17,500, and

WHEREAS, on November 2, 2020 Johnson and Urban, LLC, Colts Neck, NJ was awarded \$270,000 to provide architectural and engineering design services and bid specification development for renovations and upgrades to the Lessner Building at a cost not to exceed \$270,000, 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 exceed \$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, Johnson and Urban, LLC, Colts Neck, NJ 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 the 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 Johnson and Urban, LLC, Colts Neck, NJ for architectural and engineering and bid specification development for the decommissioning and demolition of two escalators in the Lessner Building at a cost not to exceed \$17,500, for a total not to exceed award of \$287,500.

On motion duly made by Mr. Betancourt, 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, May 25, 2021 on the Cranford campus. Mr. Richel also reminded everyone to complete their Annual Financial Disclosure Statements.

EXECUTIVE SESSION

Mr. Betancourt read the following Resolution:

Resolution PT021-002 – Authorizing a Closed Session of the Board of Trustees of Union County College

WHEREAS, the Board of Trustees of Union County College 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 County College, pursuant to the Open Public Meetings Act that:

1. The Board of Trustees of Union County College shall hold a closed meeting on April 20, 2021 from which the public shall be excluded.
2. The Executive Session will convene at approximately 7:45 p.m. and is expected to last until approximately 7:55 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 involve pending or anticipated litigation and contract negotiation.
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 Dr. Tasharofi and unanimously carried, the Board approved the Resolution for adoption at 7:38 p.m.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Dr. Tasharofi and seconded by Mr. Betancourt.