

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

**BOARD OF TRUSTEES
Minutes of Meeting
September 19, 2023**

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 6:52 p.m. in the Executive Education Center on the Cranford Campus. The following were in attendance:

TRUSTEES

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

GOVERNORS

Brian Campbell; Ryan J. Greco; Donna M. Herran; Gary S. Horan; Paul J. O'Neill; Sandra D. Rice; John Richel; James Roundtree, III; John Toriello; Allan L. Weisberg.

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 June 20, 2023 were approved as submitted.

COMMUNICATIONS

Completed.

REPORTS OF JOINT TRUSTEES AND GOVERNORS' COMMITTEES

AUDIT COMMITTEE

Mr. Horan reported to the Board that at the Audit Committee meeting held earlier, an Internal Audit Report Update was provided by PKF O'Connor Davies. He stated that an audit of the 2022 Executive Compensation Report was performed and there were no negative findings reported.

EDUCATIONAL PLANNING AND POLICY COMMITTEE

Mrs. Zimmermann reported to the Board that at the Educational Planning and Policy meeting held earlier, Dr. Hargrove reported on the on the NEST which is a program within the Center for

Adult Transitions at Union College and serves Union students with intellectual and developmental disabilities upon graduation of high school to the age of 24 with mentoring, job coaching, educational services, skills training and wrap-around services. Mrs. Zimmermann reported that Dr. Ziner provided the results of the Academic Program Review – Fall 2022 consisting of the following programs: Accounting; American Sign Language and Deaf Studies; Computer Information Systems & Technology; Computer Science; Cyber Forensics; Engineering Technology. She also reported that as of September 19, 2023, enrollment for Fall is +4.3 in FTE hours.

Mrs. Zimmermann submitted the following Resolutions for approval:

Resolution E023-023 - Faculty Personnel Actions

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

Appointments:

Tosha Bratcher, Assistant Professor, Practical Nursing, Academic Affairs, effective September 18, 2023, \$94,720 per annum.

Maudline Dessaint, Assistant Professor, Practical Nursing, Academic Affairs, effective October 30, 2023, \$94,720 per annum.

Retirement:

Dr. Warren Jenssen, Senior Professor, Biology, Academic Affairs, effective September 1, 2023.

Dr. Vincent Wrice, Senior Professor, Computer Science, Academic Affairs, effective September 1, 2023.

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

Resolution E023-024 - Staff Personnel Actions

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

Appointments:

Amanda Johns, ExCel Grant Coordinator, Academic Affairs, effective June 26, 2023, \$49,000 per annum.

Dr. Shuchi Agrawal, Assistant Dean of STEM, Academic Affairs, effective July 5, 2023, \$85,000 per annum.

Michael DePaul, Academic Specialist, Fine Arts, Academic Affairs, effective July 5, 2023, \$75,000 per annum.

Nabil Kabakibi, Academic Specialist, Engineering, Academic Affairs, effective July 5, 2023, \$80,000 per annum.

Dr. Gabriel Onabote, Academic Specialist, Supply Chain Management, Academic Affairs, effective July 5, 2023, \$80,000 per annum.

Jennifer Hyslop, Media Coordinator, Academic Affairs, effective July 10, 2023, \$50,000 per annum.

James Benes, Graphic Designer, Administrative Services, effective July 16, 2023, \$60,000 per annum.

Carmen Avila, 2nd Shift Custodian, Finance & Operations, effective July 17, 2023, \$38,080 per annum.

Solomon Kitnurse, 2nd Shift Custodian, Finance & Operations, effective July 17, 2023, \$38,080 per annum.

Arilenise Reyes, 1st Shift Custodian, Finance & Operations, effective July 17, 2023, \$35,360 per annum.

Alejandro Arcos, Student Services Generalist, Student Development, effective July 24, 2023, \$44,600 per annum.

Isaac Durette, 1st Shift Custodian, Finance & Operations, effective August 7, 2023, \$35,360 per annum.

Jorge Fernandez, Admissions and Enrollment Generalist, Student Development, effective August 14, 2023, \$44,600 per annum.

Lacy Guzman, Student Services Specialist, Student Development, effective August 21, 2023, \$53,000 per annum.

Kathy Reilly, Academic Specialist, Health Information Technology, Academic Affairs, effective August 28, 2023, \$85,000 per annum.

Jason Flores, Office Manager/Coordinator, ALC, Academic Affairs, effective September 5, 2023, \$50,000 per annum.

Elijah Spencer, 3rd Shift Custodian, Finance & Operations, effective September 5, 2023, \$38,480 per annum.

Mercedes Duffie, Student Services Generalist, Administrative Services, effective September 18, 2023, \$50,000 per annum.

Angela Staples, 1st Shift Custodian, Finance & Operations, effective September 18, 2023, \$35,360 per annum.

Promotions/Reclassifications:

Lidia Flores, Office Manager/Coordinator, from Administrative Assistant, Public Safety, Finance & Operations, effective July 16, 2023, \$50,000 per annum.

Anne Suriano, Human Resources Manager, from Human Resources Generalist, Talent Management, Finance & Operations, effective July 15, 2023, \$88,000 per annum.

Brittney Mack, Assistant Director of Union County College Foundation, from Senior Development Manager, Foundation, effective July 16, 2023, \$72,500 per annum.

Diana Constable, Assistant Director of Athletics, from Student Services Specialist, Student Development, effective August 16, 2023, \$70,000 per annum.

Dr. Maris Lown, Provost/Vice President for Academic Affairs, from Vice President for Academic Affairs, effective September 1, 2023, \$252,350 per annum.

Jodie Schoch, Academic Specialist and Program Director, Respiratory Care, from Academic Specialist and Director of Clinical Education, Respiratory Care, effective September 5, 2023, \$95,400 per annum.

Employment Separations:

Francis LoGiudice, 1st Shift Custodian, Finance & Operations, effective June 8, 2023.

Mitch O'Shea, Academic Specialist, Program Director, Respiratory Care, Academic Affairs, effective June 30, 2023.

Shirlynn Shirley, Custodial Site Lead, Facilities, Finance and Operations, effective June 30, 2023.

Leonardo Ramos, Student Services Generalist, Student Development, effective July 14, 2023.

Sterling McLean, 2nd Shift Officer, Public Safety, Finance & Operations, effective July 31, 2023.

Emma Laffey, Student Services Specialist/Social Worker, Student Development, effective August 9, 2023.

Zulema Cheek, Assistant Director of College Life, Student Development, effective August 10, 2023.

Al Elbanna, Academic Specialist, Computer Science, Academic Affairs, effective August 17, 2023.

Dr. Michael Carhart, Senior Analyst of Institutional Research, Administrative Services, effective September 5, 2023.

Babita Bopalkar, Grant Accountant, Finance and Operations, effective September 15, 2023.

Eric Rodriguez, Student Services Generalist, Student Development, effective September 15, 2023.

Sandra Catinello, Student Services Specialist/Social Worker, Student Development, effective September 20, 2023.

Dr. Kevin Majewski, Senior Analyst of Institutional Research, Administrative Services, effective September 24, 2023.

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

Resolution E023-025 - 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 revisions to the following policies attached as Exhibit 1: 200-5 Access to Student Records Policy, 200-6 Advanced Placement (AP)/International Baccalaureate (IB) Policy, 200-8 Auditing a Course Policy, 200-12 Course Repeats Policy, and 200-17 Grading Policy.

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

Resolution E023-026 - Mission Statement

WHEREAS, the Mission of the College is central to the effective functioning of the College and defines the College's purpose and guides the institution in all that we do, and

WHEREAS, affiliation with the Middle States Commission on Higher Education requires a mission statement, and

WHEREAS, Standard I of Middle States is "Mission and Goals" requiring that the institution's mission defines its purpose within the context of higher education, the students it serves, and what it intends to accomplish, and

WHEREAS, a Mission Review Committee was convened in 2020 with representation from across the College's Divisions and also included utilizing focus groups, and

WHEREAS, the following revised Mission of Union College of Union County, NJ was developed by the Mission Review Committee and is recommended by the President:

MISSION

Union College – Transforming Our Community One Student at a Time

Our Mission is to empower students to achieve their goals by providing access to high quality and affordable higher education. As a comprehensive community college, we provide career programs, transfer programs, developmental education, and lifelong-learning opportunities, with a focus on excellence. This mission is sustained through the College's unwavering commitment to the transformational strength of a diverse campus community and an equitable and inclusive learning and work environment for all.

WHEREAS, this revised Mission is not a complete overhaul of the existing Mission; rather, it is an update done through a lens of inclusion, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, NJ accept and approve this Mission Statement.

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 August 1, 2023 to August 28, 2023, Public Safety advises that there were no incidents to report.

BUDGET AND FINANCE COMMITTEE

Mr. Connolly 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.

Current Estimate Report:

Mr. Connolly stated also reviewed was the Current Estimate Report and reported that at this time, a transfer to Unrestricted Net Position of \$5.6 million is anticipated for fiscal year ended June 30, 2024.

Mr. Connolly presented the following Resolutions for approval:

Grant Resolutions:

Resolution F023-097 - Improving Economic Mobility for the Adult Learner

WHEREAS, Union College of Union County, New Jersey as a comprehensive community college, seeks to improve outcomes and postsecondary success for potential and enrolled adult learners and provide educational opportunities, acceleration of credit completion and development of action plans to meet their specific goals, and

WHEREAS, Jobs for the Future (JFF) and Achieving the Dream (ATD), two national nonprofit organizations, developed an initiative, Improving Economic Mobility for the Adult Learner, to expand upon and enhance current policies and/or practices that states and institutions have designed and implemented specifically to improve outcomes for adult learners in community and technical colleges, and selected teams in three states comprised of state higher education leaders and institutional leaders from three colleges within each state, and

WHEREAS, the New Jersey Council of County Colleges (NJCCC), submitted a successful proposal on behalf of the New Jersey Council of County Colleges (NJCCC), Atlantic Cape Community College, Hudson County Community College and Union College of Union County, New Jersey to Jobs for the Future (JFF) and Achieving the Dream (ATD) for funding of \$50,000 to be allocated to each of the three colleges to be used in connection with the Improving Economic Mobility for the Adult Learner Initiative, and

WHEREAS, the College will work with the New Jersey team to improve Adult Learner outcomes such as application to enrollment yields, retention improvement, acceleration of credit completion, lower out of pocket costs, and to identify additional policies or practices that will positively impact adult students by developing an action plan that identifies specific goals and outlines specific activities leading to goals, as well as identifying leading indicators against which to measure progress towards these goals, and

WHEREAS, Union College of Union County, New Jersey received notification that funding in the amount of \$50,000 was awarded for the period July 17, 2023, to December 31, 2024, by the New Jersey Council of County Colleges (NJCCC) for the Improving Economic Mobility of the Adult Learner Initiative of Jobs for the Future (JFF) and Achieving the Dream (ATD);

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey accepts the funding of \$50,000 from the New Jersey Council of County Colleges (NJCCC) for the Improving Economic Mobility of the Adult Learner Initiative of Jobs for the Future (JFF) and Achieving the Dream (ATD) for the period July 17, 2023, to December 31, 2024.

Resolution F023-098 - Community College Opportunity Grant (CCOG)

WHEREAS, Union College of Union County, New Jersey, is a comprehensive community college providing quality, affordable, accessible educational programs that serve the greater Union County region, and

WHEREAS, the Community College Opportunity Grant (CCOG) is the State of New Jersey's community college initiative that provides last dollar awards to New Jersey resident community college students who do not have a prior college degree, completed a Free Application for Federal Student Aid (FAFSA) or the New Jersey Alternative Financial Aid Application according to agency deadlines, make satisfactory academic progress and have a total household adjusted gross income (AGI) under \$65,000 for free tuition, (AGI) \$65,001-\$80,000 for reduced tuition costs up to one-half of the maximum CCOG award, and for (AGI) between \$80,001 and \$100,000 for reduced tuition costs up to one-third of the maximum CCOG award, and

WHEREAS, Union College of Union County, New Jersey has been notified that it was awarded \$414,569 for the Community College Opportunity Grant (CCOG) Student Success Initiative funding to be implemented during the period July 1, 2023, through June 30, 2024, by the State of New Jersey, Office of the Secretary of Higher Education (OSHE), and

WHEREAS, the purpose of the partnership between the Office of the Secretary of Higher Education (OSHE) and the College is to increase matriculation and support the goals of the Community College Opportunity Grant (CCOG) by implementing goals and strategies for capacity building and increasing enrollment, improving student completion and reducing financial burdens on students;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey accepts \$414,569 in funding from the State of New Jersey, Office of the Secretary of Higher Education (OSHE) for the Community College Opportunity Grant (CCOG) Student Success Initiative Funding for the period July 1, 2023, through June 30, 2024.

Resolution F023-099 - Scaling Apprenticeships through Sector Based Strategies Grant

WHEREAS, Union College of Union County, New Jersey, as a comprehensive community college, seeks to expand educational and apprenticeship opportunities for minority and other low-income students, and

WHEREAS, Bergen Community College, applied to the U.S. Department of Workforce Development, for a five year annually renewable contract, as the lead agency representing a consortium of 13 public New Jersey community colleges who will work with employer partners to serve 5,000 healthcare apprentices, and

WHEREAS, the 13 community colleges, included in the consortium are Atlantic Cape Community College, Brookdale Community College, Camden County College, County College of Morris, Essex County College, Hudson County Community College, Mercer County Community College, Middlesex College, Ocean County College, Passaic County Community College, Rowan College at Burlington County, Rowan College of Gloucester County and Union College of Union County, New Jersey, and

WHEREAS, the goals of this grant are to accelerate the expansion of apprenticeships in the healthcare sector, increase the level of apprenticeship occupations and promote the expansion of apprenticeships in New Jersey, the Northeast Region and across the country by creating apprenticeship career pathway opportunities for underserved populations, and

WHEREAS, the partner colleges formed an apprenticeship partnership with the principle employer partners: CVS Health, Trinitas Regional Medical Center, East Orange Medical Practice, Advanced Subacute Rehabilitation Center, RWJ Barnabas Health System and Roosevelt Care Center in addition to working with regional workforce development boards, one-stop operations, local government agencies, community-based organizations and the N.J. Department of Labor and Workforce to provide needed opportunities for employers to meet current and future skill needs of high-demand health sector occupations in New Jersey, and

WHEREAS, Union College of Union County, New Jersey has received notification that \$7,000 has been awarded to Union College of Union County, New Jersey for year five of the annually renewable contract, as a sub-recipient through Bergen Community College, for the period July 15, 2023, through July 14, 2024;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey accepts \$7,000 from the U.S. Department of Workforce Development for funding under the Scaling Apprenticeship through Sector-Based Strategies Grant through Bergen Community College for the fiscal period July 15, 2023, through July 14, 2024.

Resolution F023-100 - Displaced Homemaker Program Cost of Living Adjustment (COLA)

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

WHEREAS, on June 15, 2023, the College received notification from the State of New Jersey Department of Children and Families that the Displaced Homemaker Program has

been renewed for the period July 1, 2023, through June 30, 2024, for the amount of \$169,999, 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 College of Union County, New Jersey is expected to service 90 clients during the duration of this program by assisting qualified individuals to successfully complete a short-term program that will lead to future employment, and

WHEREAS, on June 20, 2023, the Board of Trustees of Union College of Union County, New Jersey accepted the funding of \$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 2023-2024, and

WHEREAS, on August 1, 2023, the College was notified of a Cost-of-Living Adjustment (COLA) of seven percent for the Displaced Homemaker Program for a new award amount of \$181,898 by the State of New Jersey, Department of Children and Families;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Union College of Union County, New Jersey accept the additional funding from the State of New Jersey, Department of Children and Families for the seven percent Cost of Living Adjustment (COLA) of \$11,899 for a new award amount of \$181,898 for the Fiscal Year 2023-2024.

Resolution F023-101 - ABLE PLUS Consortium Funding Acceptance

WHEREAS, Union College of Union County, New Jersey, as a comprehensive community college, seeks to provide career occupational training programs designed to assist College students and other Union County residents to become employed, and

WHEREAS, the College applied, as the lead agency of the WIOA Title II, ABLE PLUS Consortium, to the State of New Jersey Department of Labor and Workforce Development, for funding under the Workforce Investment Act of 1998, Title II, the Adult Education and Family Literacy Act, and

WHEREAS, the ABLE PLUS Consortium consists of Union College of Union County, New Jersey, as the lead agency, and three public education partners; Elizabeth Board of Education, Literacy New Jersey Union County Program, and Urban Workforce Advantage Inc. for the purpose of delivering Adult Basic Skills Programs that assist adults to become literate and obtain the knowledge and skills necessary for

employment and self-sufficiency, to become full partners in the educational development of their children and complete a secondary school education, and

WHEREAS, Union College of Union County, New Jersey, as the lead agency, is responsible for tracking and reporting progress and results for the delivery of programs and services across the Consortium and these programs and services include Adult Basic Education, High School Diploma preparation, ESL, and Civics educational services to individuals who are unemployed, underemployed, in US Citizenship preparation or those who need to increase their basic skills and/or English proficiency to maintain employment, and

WHEREAS, the College is expecting to service 610 clients for the duration of this program, and the Consortium is expected to service 988 clients in total, and

WHEREAS, on June 30, 2023, the State of New Jersey Department of Labor and Workforce Development notified Union College of Union County, New Jersey that the Consortium will be awarded \$1,624,730, and

WHEREAS, the State of New Jersey Department of Labor and Workforce Development approved \$1,624,730 to the Consortium; the distribution of funds will include \$985,000 to Union College of Union County, New Jersey for the period July 1, 2023, to June 30, 2024;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey accepts \$1,624,730 from the State of New Jersey Department of Labor and Workforce Development on behalf of the WIOA Title II, ABLE PLUS Consortium for the fiscal period July 1, 2023, to June 30, 2024.

On motion duly made by Mr. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolutions F023-097 through F023-101 for adoption.

Contracts Exempt from Competitive Bidding

Resolution F023-102 - Rental of Street Sweepers, Snow Removal Equipment, and Air-Cooling Units

WHEREAS, the College requires the rental of street sweepers and snow removal equipment, and portable air-cooling units to provide safe fall and winter operations on the Cranford Campus, in support of day-to-day operations and the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.11a.b. provides for an exception to the requirement of advertising for bids when there is a nationally recognized and accepted cooperative purchasing agreement for the product or service, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.6 provides for awarding contracts without public competitive bids when there is an emergency affecting the health, safety, and welfare of the college, and

WHEREAS, Herc Rentals Inc. Bonita Springs, FL has provided rental services at a cost of \$1,157 for Fiscal Year 2023-2024, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and

WHEREAS, Herc Rentals Inc. Bonita Springs, FL, submitted a proposal under OMNIA contract #2019000318, to provide street sweeper and snow equipment for the two snow periods from November 2023 through April 2025 for a total cost not to exceed \$106,824 as follows:

Description	Duration		FY	Amount
(1) Wheel Loader	4 Months	Nov. 15-Mar.15 2023-2024	FY 2024	\$20,980
(2) Dump Trucks	4 Months	Nov. 15-Mar.15 2023-2024	FY 2024	\$20,984
(1) Wheel Loader	1 Month	Mar. 15-April 15, 2024 Optional based on weather	FY 2024	\$ 5,145
(2) Dump Trucks	1 Month	Mar. 15-April 15, 2024 Optional based on weather	FY 2024	\$ 5,146
			Total FY 2024	\$52,255

Description	Duration		FY	Amount
Street Sweeper	1 Week	Jul. 2024	FY 2025	\$ 1,157
Street Sweeper	1 week	Aug. 2024	FY 2025	\$ 1,157
(1) Wheel Loader	4 Months	Nov. 15-Mar.15 2024-2025	FY 2025	\$20,980
(2) Dump Trucks	4 Months	Nov. 15-Mar.15 2024-2025	FY 2025	\$20,984
(1) Wheel Loader	1 Month	Mar. 15-April 15, 2025	FY 2025 Optional	\$ 5,145
(2) Dump Trucks	1 Month	Mar. 15-April 15, 2025	FY 2025 Optional	\$ 5,146
			Total FY 2025	\$52,255

WHEREAS, the cost of snow equipment rentals during the two snow periods from November 15, 2021, through April 15, 2022, and November 15, 2022, through April 15, 2023, was \$47,550 per snow period for a total cost of \$95,100, and

WHEREAS, Herc Rentals Inc. Bonita Springs, FL has also submitted a proposal not to exceed \$20,000 to provide portable rental air-cooling units for the Science Building-Cranford Campus for the safety and comfort of the College community as the start of the semester experienced excessive heat before the HVAC repairs were completed, 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, OMNIA utilized competitive bidding for the award of the contract to Herc Rentals Inc. Bonita Springs, FL, thereby releasing Union College of Union County, New Jersey from the requirement to obtain Pay-to-Play 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 Herc Rentals Inc. Bonita Springs, FL for the rental of street sweepers and snow removal equipment at the specified rates, at an annual cost of \$52,255 for Fiscal Year 2023-2024 and \$54,569 for Fiscal Year 2024-2025 and ratify an award for \$20,000 for rental of portable air-cooling units for a total award not to exceed \$126,824 for the period of November 15, 2023, through April 15, 2025.

Resolution F023-103 - Electric Supply Service

WHEREAS, electric supply service is necessary to provide power for the operations of all campuses, in support of the mission of the College, and

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

WHEREAS, the State of New Jersey Board of Public Utilities has provided that basic electric service be obtained through either bundled complete service from the regulated public utility or through a contracted commodity supply service delivered through the regulated services of the local power distribution company to the end user, and

WHEREAS, the College has elected to obtain electric supply separately from the distribution service of the local power company and in coordination with the New Jersey Council of Community Colleges Joint Purchasing Consortium (NJCC JPC), and

WHEREAS, Ocean County College acted as the lead agency for the NJCC JPC and initiated a publicly advertised bid for electric supply service, and

WHEREAS, Constellation NewEnergy, Inc, Baltimore, MD submitted a proposal to provide electric supply service for two (2) primary accounts at a rate of \$.1096/kwh and fourteen (14) secondary accounts at a rate of \$.1134/kwh based on projected

estimated usages for the period of September 2023, through August 2025, for a total estimated cost not to exceed \$1,939,255 based upon anticipated usage, and

WHEREAS, the proposal's rate represents a 30% rate increase from the previous contract period, and

WHEREAS, on September 19, 2021, the Board of Trustees of Union College of Union County, New Jersey awarded contracts to Constellation NewEnergy, Inc, Baltimore, MD to provide electric supply service for two (2) primary electric commodity supply service at a rate of \$.0847/kwh, and fourteen (14) secondary accounts at a rate of .0879 from September 2021, through August 2023, and

WHEREAS, the New Jersey Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.4. et seq. provides that contracts arrived at through an open and fair process are exempt from the Pay-to-Play law, and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts to Constellation NewEnergy, Inc, Baltimore, MD, for primary and secondary electric supply service from September 1, 2023, through August 31, 2025, at a total estimated cost not to exceed \$1,939,255.

Resolution F023-104 - Title V Preparing Union Students for Success-Consulting Services

WHEREAS, the College requires grant consulting services for the Title V Preparing Union Students for Success Grant to ensure compliance with mandatory grant external evaluations reporting and objectives in support of the mission of the College, and

WHEREAS, on June 20, 2023, the Board of Trustees accepted \$3,000,000 under the Title V Preparing Union Students for Success Grant for the period of October 1, 2023, through September 30, 2028, and

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

WHEREAS, Ellucian Company L.P., Reston, VA has submitted a two-year (2) proposal to provide Title V Preparing Union Students for Success Grant consulting services at \$2,078 per month for a total cost not to exceed \$49,872 from October 1, 2023, through September 30, 2025, 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, Ellucian Company L.P., Reston, VA has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to their contract award, and that they will be prohibited from making any reportable contributions through the term of the contract, and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award a contract for grant consulting services for the Title V Preparing Union Students for Success Grant to Ellucian Company L.P., Reston, VA for a total cost not to exceed \$49,872 from October 1, 2023, through September 30, 2025.

Resolution F023-105 - Building HVAC Management Control Systems Maintenance Services

WHEREAS, the College requires maintenance, repair services, testing, and inspections of the computerized heating, ventilation, and air conditioning (HVAC) management control systems on all campuses, in support of the mission of the College, and

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

WHEREAS, A.M.E. Inc., Fairfield, NJ has submitted a proposal under Educational Services Cooperative of New Jersey (ESCNJ) # ESCNJ 20/21-50 to provide building HVAC management control systems maintenance services and non-scheduled emergency services on all campuses from October 1, 2023, through September 30, 2024, for a total cost not to exceed \$87,004, and

WHEREAS, the cost through September 30, 2023, for HVAC management control services is projected to be \$73,875, and

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

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

WHEREAS, ESCNJ utilized competitive bidding for the award of the contracts to A.M.E Inc., Fairfield, 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 A.M.E Inc., Fairfield, NJ to provide building HVAC management control systems maintenance services on all campuses for a total award not to exceed \$87,004 from October 1, 2023, through September 30, 2024.

Resolution F023-106 - Event Planning Software

WHEREAS, licensing, maintenance, and support services for event planning software are necessary components of the technological environment, which is essential to 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-25.28.d. provides that contracts for the provision of goods or services for the use, support, or maintenance of proprietary computer hardware, software peripherals, and system development for the hardware may be awarded for a term not to exceed five (5) years, and

WHEREAS, on February 21, 2023, the Board of Trustees of Union College of Union County, New Jersey awarded a contract to Coursedog, Palo Alto, CA for licensing, maintenance, hosting, and support services for classroom scheduling planning software at a total cost not to exceed \$145,645 from March 1, 2023, through February 28, 2026, and

WHEREAS, Coursedog, Palo Alto, CA has submitted a proposal to provide licensing, maintenance, hosting, and support services for College-wide event planning software that will offer seamless integration with the extant classroom planning software to provide a master real-time campus calendar for both internal and external users for a total cost not to exceed \$47,804 for a prorated three (3) year period, which includes a one-time \$5,000 implementation fee, that will run concurrently with the existing contract from September 22, 2023, through February 28, 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 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, Coursedog, Palo Alto, CA 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 award a contract to Coursedog, Palo Alto, CA for licensing, maintenance, hosting and support services for event planning software at a total award not to exceed \$47,804 for the period of September 22, 2023, through February 28, 2026.

Resolution F023-107 - Uninterruptible Power Supply Battery Replacement- Lessner Building

WHEREAS, the College requires replacement of an end-of-life Uninterruptible Power Supply (UPS) battery unit at 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.(19) provides for exceptions to the requirement for advertising for bids for the provision of goods or services for the use, support or maintenance of proprietary computer hardware, software peripherals and system development for the hardware, and

WHEREAS, Eaton Corporation, Moon Township, PA has submitted a proposal for UPS battery replacement including three (3) year service coverage, for a cost not to exceed \$42,238, 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, the award of the contract to Eaton Corporation, Moon Township, PA 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 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 Eaton Corporation, Moon Township, PA for UPS battery replacement including three (3) year service coverage service at a cost not to exceed \$42,238.

BE IT FURTHER RESOLVED that the Board of Trustees of Union College of Union County, New Jersey, award of a contract to Eaton Corporation, Moon Township, PA is 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. Castro and unanimously carried, the Board approved Resolutions F023-102 through F023-107 for adoption.

Resolution F023-108 - Spend \$17,500-\$41,600

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

WHEREAS, the attached purchases of goods and services are under the bid threshold of \$41,600, 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 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;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union College of Union County, New Jersey award contracts and ratify an award between \$17,500 and \$41,600 to the listed vendors for a total spend of \$129,375.

Resolution F023-109 - 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 \$3,130;

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.

Resolution F023-110 - Perkins 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 \$12;

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. Connolly, seconded by Mr. Castro and unanimously carried, the Board approved Resolutions F023-108 through F023-110 for adoption.

BUILDINGS AND GROUNDS

Mr. Katz reported that there were many changes to the Project Prioritization List.

Mr. Katz presented the following Resolution for approval:

Resolution B023-008 - Change Order for 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, on March 21, 2023, the Board of Trustees of Union College of Union County, New Jersey awarded a contract to McCloskey Mechanical Contractors, Inc., Blackwood NJ for HVAC repairs in the Science Building under Hunterdon County Educational Service Commission (HCESC) contract # HCESC-SER-21A at a cost not to exceed \$938,307, and

WHEREAS, a change order was initiated in an amount not to exceed \$375,503 as unforeseen conditions arose while the work was being performed that determined existing air handlers, branch sector units and refrigerant piping needed replacement as they could contaminate or damage the new equipment and void the warranty on newly installed condensers and associated parts, 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 Contractors, 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 acknowledge the change order to McCloskey Mechanical Contractors, Inc., Blackwood, NJ for HVAC repair in the Science Building-Cranford campus at a cost not to exceed \$375,503 for a total award not to exceed \$1,313,810.

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

Cell Tower Update:

Mr. Katz reported that there has been no update to the September 7th email. He stated reports have been completed and they have begun deposition planning with the experts.

Campus Projects:

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

OPEN MEETING TO THE PUBLIC

No one rose to address the Board.

UNFINISHED BUSINESS

Mr. Richel assigned the new Board of Governors members to the following committees:

Deborah Enix-Ross - EPPC

Jim Della Sala – Budget & Finance and Audit

Sandra Rice - EPPC

John Richel – Building & Grounds and Marketing

John Toriello – Budget & Finance and Marketing

On motion duly made by Mrs. Zimmermann, 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

There was no new business.

EXECUTIVE SESSION

There was no Executive Session after this meeting.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Mr. Castro, seconded by Dr. Tasharofi at 7:07 p.m.