

Jaime M Segal

From: Rose Cuison-Villazor <opra+request-17276-1a8d44d1@requests.opramachine.com>
Sent: Thursday, October 8, 2020 9:20 AM
To: @OpraRequests
Subject: OPRA request - Open Public Records Act and Common Law Request Regarding Implementation of the New Jersey Attorney General Immigrant Trust Directive 2018-6

****External Email****

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S.I. Newhouse Center for Law and Justice Rutgers, The State University of New Jersey
123 Washington Street
Newark, New Jersey 07102-3094
Phone: (973) 353-3159

October 8, 2020

Municipal Clerk

RE: Open Public Records Act and Common Law Request Regarding Implementation of the New Jersey Attorney General Immigrant Trust Directive 2018-6

Dear Records Custodian,

Pursuant to the New Jersey Open Public Records Act (OPRA – N.J.S.A.47:1A-1, et seq.) and common law right of access, we write seeking to obtain records related to how your Department (herein referred to as “the Department”) has implemented the New Jersey Attorney General Gurbir Grewal’s Immigrant Trust Directive 2018-6 and how this agency works with federal immigration enforcement officials. We ask that you please direct this request to all appropriate offices, departments, and records custodians within the Department that may supply any of the records sought through this request.

A. Our Common Law Interest

The Immigrant Trust Directive intends to curtail state and local participation in federal immigration enforcement, ensure effective policing, and foster relationships between law enforcement agencies and immigrant communities. As part of a scholarly research project, we, the requestors, seek these documents in order to assess the degree to which the Department is committed to implementing the directive and is in compliance with public records request laws.

We the requesters are Dean Rose Cuison-Villazor and Dr. Peter Mancina. Dean Cuison-Villazor is Vice Dean, Professor of Law, and Chancellor’s Social Justice Scholar of the Rutgers Law School and Director of the Center for Immigration Law, Policy, and Justice. She has written and published extensively about non-cooperation policies or “sanctuary” policies, which have been published in the Columbia Law Review, Minnesota Law Review, Washington University Law Review, and UC Davis Law Review. Dean Cuison-Villazor is also Director of the Center for Immigration Law, Policy and Justice (CILPJ), which engages in interdisciplinary scholarship, research, and advocacy focused on exploring more inclusive immigration and citizenship laws.

Dr. Peter Mancina is Visiting Scholar in the Center for Immigration Law, Policy, and Justice at Rutgers Law School, Researcher in the Department of Social Anthropology at Stockholm University, and Research Associate in the University of Oxford Centre for Criminology and Border Criminologies Program. Dr. Mancina has examined the historical

development of sanctuary policy in the United States and police compliance with "sanctuary" laws at the local, county, and state levels. He is author of the 2019 policy implementation report Turning the Golden State into a Sanctuary State: A Report on the Impact and Implementation of the California Values Act (SB54).

We greatly appreciate your assistance in providing us the following documents.

B. Requested Records (See Footnote 1 below)

I. Policies, Regulations, Memorandum, Guidance, and Forms

1. All records of policies, regulations, memorandum, guidance, or forms that the Department has adopted related to the implementation of the New Jersey Attorney General Gurbir Grewal's Immigrant Trust Directive 2018-6 version 1 (issued on November 29, 2018) (Footnote 2) and version 2 (issued on March 15, 2019)(Footnote 3), herein both versions referred to collectively as the "Directive."

Date Range: November 29, 2018 to the present.

2. All records of policies, procedures, protocols, directives, general orders that the Department has adopted regarding providing any form of assistance to, undertaking joint operations with, or forming joint task forces with the Department of Homeland Security ("DHS"), U.S. Customs and Border Protection ("CBP"), or Immigration and Customs Enforcement ("ICE" (including ICE Homeland Security Investigations ("HSI"))). Examples of such policies may pertain to how the Department

- a. books or releases federal criminal or immigration detainees; transfers individuals into federal custody;
 - b. provides DHS, CBP, ICE, and HSI access to department facilities, Department computers, information technology networks, department databases;
 - c. provides immigration agencies use of Department offices, desk space, or space where they can carry out their federal work;
 - d. responds to federal requests for a notification of an inmate's release date, time, and place, as well as any personally identifying information for the individual;
 - e. detains individuals for the purpose of enforcing immigration law;
 - f. acts upon DHS, CBP, ICE, and HSI administrative warrants;
 - g. responds to federal immigration agency requests to interview people in Department custody and provides access to these individuals to carry out an interview;
 - h. provides backup assistance including but not limited to traffic control and perimeter security in the event of an immigration enforcement action or emergency situation;
 - i. provides booking rosters, intake rosters, or lists of detainees in Department detention facilities;
 - j. asks members of the public, witnesses, suspects, or those who have been arrested about immigration status information;
 - k. patrols U.S. national borders;
 - l. processes requests for T- and U-visa certifications; or
 - m. submits Immigrant Alien Queries (IAQs) to the ICE Law Enforcement Support Center ("ICE-LESC") and acts upon Immigrant Alien Responses (IARs) from the ICE-LESC as part of the State Criminal Alien Assistance Program (SCAAP)
- Date Range: November 29, 2018 to the present.

II. Agreements, Contracts, or Memorandum of Understanding

3. All agreements, contracts, or Memorandum of Understanding, including any addendum or renewal document between DHS, ICE, ICE-HSI, or CBP and the Department. Date Range: November 29, 2018 to the present

III. Training Records

4. All records that the Department has used to train its members about the Directive, including training materials, manuals, memorandums, and power point presentations. Date range: November 29, 2018 to the present
5. Any training logs records that the Department has created to track the completion of training of its employees in the Directive or Directive-related Department policies. Date range: November 29, 2018 to the present

IV. Incident Reports

6. All incident reports related to the Department providing any form of assistance to CBP or ICE, (including HSI) as described in request number 2, participation in joint task forces, a 287g program, or any other form of joint operation with CBP, or ICE (including HSI). Date Range: November 29, 2018 to the present
7. All incident reports related to incidents when CBP or ICE, (including HSI) arrested an individual on Department property immediately after they were released from Department custody to the public. Date Range: November 29, 2018 to the present

V. Quantitative Data Reports Regarding Department Assistance to ICE and CBP

8. All records (including electronically stored information in a database, written reports, statistics, memoranda or other data) that provide the number of instances when the Department accommodated an ICE or CBP request for the Department to
 - a. detain an individual
 - b. transfer an individual to ICE or CBP custody
 - c. notify ICE or CBP of the person's release from Department custody
 - d. provide backup assistance for an immigration enforcement action
 - e. provide backup assistance for an emergency situation
 - f. allow ICE or CBP to interview an individual in Department custody
 - g. participate in a joint operation with ICE or CBP; or
 - h. any other form of assistance to ICE or CBPDate Range: November 29, 2017 to the present
9. All reports, emails, and memorandum that explain the reason, purpose, policy basis, or goal for which the Department accommodated ICE or CBP requests for assistance outlined in request number 8. Date Range: November 29, 2017 to the present
10. All records (including electronically stored information in a database, written reports, statistics, memoranda or other data), arrest reports, CAD reports or similar records) that list
 - a. the number of individuals arrested during joint operations with DHS, ICE, or CBP;
 - b. the criminal charges brought against each individual that was arrested during joint operations with DHS, ICE, or CBP; or
 - c. the number of individuals charged with civil immigration violations during joint operations with DHS, ICE, or CBP.Date Range: November 29, 2017 to the present
11. All records (including electronically stored information in a database, written reports, statistics, memoranda or other data), that list the number of people that the Department released to the public and who were immediately arrested by ICE or CBP on Department property. Date Range: November 29, 2017 to the present

VI. Detainee Movement Logs

12. All records that include the "movement history" logs of individuals in Department custody for whom an I-247 detainer, notification request, or transfer request was lodged. This may include records logging how individuals are

moved through different Department divisions, wings, areas, programs, or Department facilities (ie. Booking, housing).
Date Range: November 29, 2017 to the present

VII. Communications Records

13. All communications (herein, "communications" refers to emails, texts, faxes, letters, social media posts) about implementing the Directive in the Department, how the Department interacts with or assists ICE and CBP, or making inmate release information available to the public between Department Command Staff or Supervising Staff and the following types of Department employees:

- a. Those who contribute to the development of department policy;
- b. Those who directly interact with the public;
- c. Those who directly interact with people in Department custody; and
- d. Those who directly interact with federal immigration agencies

Date Range: November, 29, 2018 to the present

14. All communications about implementing the Directive in the Department, how the Department interacts with ICE and CBP, or making inmate release information available to the public between Department Personnel and individuals in the following external agencies:

- a. ICE;
- b. CBP;
- c. The U.S. Department of Justice;
- d. The White House;
- e. The New Jersey Department of Justice;
- f. The Sheriffs Association of New Jersey; or
- g. The New Jersey State Association of Chiefs of Police

Date Range: November, 29, 2018 to the present We request that all responsive records be sent as electronic files via email to immigranttrust@law.rutgers.edu. If the Department cannot provide responsive documents to certain requests above, please indicate the number of the request and the reason for the denial.

As N.J.S.A. 47:1A-5(i) provides that public agencies respond to OPRA records requests within 7 days, I look forward to hearing from you within this time.

Thank you in advance and we look forward to your response.

Sincerely,

Dean Rose Cuison-Villazor
Vice Dean, Professor of Law and Chancellor's Social Justice Scholar Director, Center for Immigration Law, Policy and Justice Rutgers Law School
123 Washington Street
Newark, NJ 07102
Phone number: (973) 353-3159
Email: rose.villazor@law.rutgers.edu

Dr. Peter Mancina
Visiting Scholar
Center for Immigration Law, Policy and Justice Rutgers Law School
123 Washington Street
Newark, NJ 07102
Phone number: (415)-226-8714
Email: peter.mancina@rutgers.edu

Footnotes

FN 1: The term "records" as used herein means records as broadly defined by N.J.S.A.47:1A-1.1 and includes, "any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business by any officer, commission, agency or authority of the State or of any political subdivision thereof, including subordinate boards thereof, or that has been received in the course of his or its official business by any such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof. The terms shall not include inter-agency or intra-agency advisory, consultative, or deliberative material." "Records" that we are interested in obtaining are those that not only are stored in government office locations, on government servers, or on government computers and devices but also in private locations and storage facilities, on private servers, on private computers and devices, in private email accounts, and in public and private social media accounts.

FN2: Version 1: <https://web.archive.org/web/20190502000335/https://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2018-6.pdf>

FN3: Version 2: https://www.nj.gov/oag/dcj/agguide/directives/ag-directive-2018-6_v2.pdf

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-17276-1a8d44d1@requests.opramachine.com

Is oprarequests@ucc.edu the wrong address for OPRA requests to Union County College? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=union_county_college

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/open_public_records_act_and_comm_80

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Jaime M Segal

From: Jaime M Segal
Sent: Tuesday, October 13, 2020 3:30 PM
To: immigranttrust@law.rutgers.edu
Subject: Union County College response to OPRA request re: Immigrant Trust Directive 2018-6

Dear Dean Cuison-Villazor and Dr. Mancina,

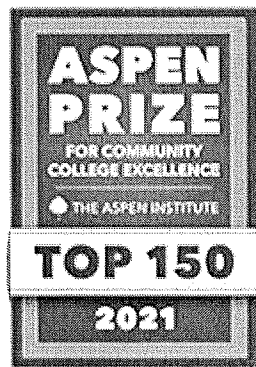
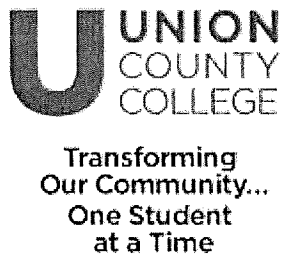
In response to your OPRA request, received on October 8, 2020, for *"records related to how your Department (herein referred to as "the Department") has implemented the New Jersey Attorney General Gurbir Grewal's Immigrant Trust Directive 2018-6 and how this agency works with federal immigration enforcement officials,"* please be advised that there are no documents responsive to your request.

Please note that even though Union County College is a two-year institution of higher education and not a law enforcement agency, a good faith inquiry pursuant to your request was completed and no responsive documents were located.

This matter is now closed.

Kind regards,
Jaime Segal

Jaime M. Segal, Esq.
Executive Director of College Relations & Secretary of the Boards
Union County College
1033 Springfield Ave.
Cranford, NJ 07016
Phone: 908-709-7501



Jaime M Segal

From: Jaime M Segal
Sent: Friday, October 30, 2020 9:39 AM
To: Rosa Cabezas
Subject: RE: Kaira J. Cabezas (Colleague ID# [REDACTED])

No worries at all.
Lester Bosea from the Registrar's office will be reaching out to you.
Best of luck & stay dry today!

-----Original Message-----

From: Rosa Cabezas [REDACTED]
Sent: Thursday, October 29, 2020 4:30 PM
To: Jaime M Segal <jaime.segal@ucc.edu>
Subject: Re: Kaira J. Cabezas (Colleague ID# [REDACTED])

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Thank you Jaime and I knew it wasn't going to be the correct department. I just didn't know where to send the request.
Thank you for your help. Have a good day and stay safe.

- Rosa

> On Oct 29, 2020, at 3:57 PM, Jaime M Segal <jaime.segal@ucc.edu> wrote:
>
> Hi Ms. Cabezas,
>
> Your request is not considered an Open Public Records Request so I cannot fulfil it.
> I forwarded your email to our Registrar and am waiting to hear back as to whether or not she handles these matters.
>
> -Jaime
>
> -----Original Message-----
> **From:** Rosa Cabezas [REDACTED]
> **Sent:** Thursday, October 29, 2020 3:37 PM
> **To:** @OpraRequests <OpraRequests@ucc.edu>
> **Subject:** Kaira J. Cabezas (Colleague ID# [REDACTED])
>
> ****External Email****
> This message has originated from an External Source. Please use proper judgement and caution when opening attachments, clicking links, or responding to this email.
>
> Good Afternoon.
>
> I am not sure who to make this request to. I found this email on the UCC Website. If this is the incorrect email/department...Kindly forward this email to the correct department and I will appreciate a notification of same.

>
> I received a letter from Child Support asking for a letter from UCC (with UCC letterhead) confirming my daughter, Kaira J. Cabezas current enrollment and need someone to provide me with an enrollment certificate.
>
> If anyone needs to speak to me I can be reached on my cell phone at [REDACTED]
>
> Thank you.
>
> Rosa M. Cabezas
>
>

Jaime M Segal

From: Jaime M Segal
Sent: Wednesday, November 4, 2020 12:32 PM
To: Gonzalo Trenosky, PE
Cc: Mark G Anderson
Subject: RE: OPRA Request for Union County College Design for Utility Separation

Hi Mr. Trenosky,

As the records custodian, I am unable to provide "information" as OPRA requests are related to documents. Because I deal in providing government records as required by statute, and this is not such a request, I am going to direct your query to our Purchasing Director, Mark Anderson, who I have copied on this email. His direct number is 908-709-7010. Please feel free to reach out to him, and he may be able to address the status of this project.

Kind regards,
Jaime

From: Gonzalo Trenosky, PE <gmt@mfsengineers.com>
Sent: Wednesday, November 4, 2020 10:18 AM
To: Jaime M Segal <jaime.segal@ucc.edu>
Subject: RE: OPRA Request for Union County College Design for Utility Separation

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Jaime:

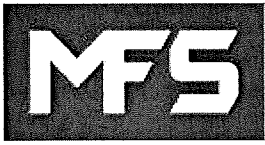
I have been trying to track this down for months now. I just needed simple answer if this project was awarded, if it was awarded to whom was it awarded to. This was a public bid and providing us this information should be open to the public. If this project was cancelled or put on Ice for the foreseeable future it would also be good to know so we can track this project for a later date.

Thank you.

Gonzalo Trenosky, PE, LEED AP / Project Manager II
D: 908-922-4625
C: 518-669-4669
MFS Consulting Engineers & Surveyor, DPC

New Jersey Office (HQ):
Office: 908-922-4622 / Fax: 866-517-7413
2780 Hamilton Blvd. South Plainfield, NJ 07080

New York Office:
Office: 212-943-6576 / Fax: 866-517-7413
320 Fifth Avenue, Floor 11-Suite 1102, New York, NY 10001



**ENGINEERS
& SURVEYORS**



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From: Jaime M Segal [<mailto:jaime.segal@ucc.edu>]
Sent: Wednesday, November 04, 2020 10:13 AM
To: Gonzalo Trenosky, PE <gmt@mfsengineers.com>
Subject: RE: OPRA Request for Union County College Design for Utility Separation

Mr. Trenosky,

Please be advised that there are no responsive documents for your OPRA request for information regarding a selected engineering firm for the Design for Utility Separation project.

Thank you.

Kind regards,
Jaime Segal

From: Gonzalo Trenosky, PE <gmt@mfsengineers.com>
Sent: Tuesday, October 27, 2020 12:24 PM
To: @OpraRequests <OpraRequests@ucc.edu>
Subject: OPRA Request for Union County College Design for Utility Separation

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Opra:

See attached formal request.

Thank you.

Gonzalo Trenosky, PE, LEED AP / Project Manager II
D: 908-922-4625
C: 518-669-4669
MFS Consulting Engineers & Surveyor, DPC

New Jersey Office (HQ):
Office: 908-922-4622 / Fax: 866-517-7413
2780 Hamilton Blvd. South Plainfield, NJ 07080

New York Office:

Office: 212-943-6576 / Fax: 866-517-7413

320 Fifth Avenue, Floor 11-Suite 1102, New York, NY 10001 (This is our New Address)

www.MFEngineers.com



Transforming
Our Community...
One Student
at a Time

UNION COUNTY COLLEGE
OPEN PUBLIC RECORDS ACT REQUEST FORM
1033 Springfield Avenue
Cranford, NJ 07016
Phone: (908) 709-7501 Fax: (908) 709-0527
Email: oprarequests@ucc.edu
Jaime M. Segal, Records Custodian



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Our Community...
One Student
at a Time

Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name Gonzalo MI M Last Name Trenosky
E-mail Address gmt@mfsengineers.com
Mailing Address 2780 Hamilton Blvd.
City South Plainfield State Nj Zip 07080
Telephone 908.922.4625 FAX _____
Preferred Delivery: Pick Up _____ US Mail _____ On-Site Inspect _____ Fax _____ E-mail X
If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I **HAVE / HAVE NOT** been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
Signature Gonzalo Trenosky, PE Date 10/27/2020
Digitally signed by Gonzalo Trenosky, PE
Consulting Engineers, CN="Gonzalo Trenosky, PE"
Location: S. Plainfield, NJ
Reason: I am approving this document
Contact info: 908-922-4625
Date: 2020.10.27 12:17:33 -0400

Payment Information

Maximum Authorization Cost \$ _____
Select Payment Method
Cash ☐ Check ☐ Money Order ☐
Fees: Letter size pages - \$0.05 per page
Legal size pages - \$0.07 per page
Other materials (CD, DVD, etc) – actual cost of material
Delivery: Delivery / postage fees additional depending upon delivery type.
Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

I'm requesting information on who the selected engineering firm was for the below project.

"Union County College Design for Utility Separation"

Thank you.

Gonzalo Trenosky, PE
MFS Consulting Engineers & Surveyors, DPC

AGENCY USE ONLY

AGENCY USE ONLY

AGENCY USE ONLY

Jaime M Segal

From: Jaime M Segal
Sent: Wednesday, November 4, 2020 10:26 AM
To: [REDACTED]
Subject: RE: OPRA Request: Board 9/22/20 Minutes
Attachments: 11.2.20 BG FINAL APPROVED 9.22.20 Minutes.pdf; 11.2.20 Trustees FINAL APPROVED 9.22.20 Minutes.pdf

Ms. Lowe,

Attached please find the documents responsive to your below request.

Kind regards,
Jaime Segal

From: [REDACTED]
Sent: Tuesday, November 3, 2020 8:20 AM
To: Jaime M Segal <jaime.segal@ucc.edu>
Subject: OPRA Request: Board 9/22/20 Minutes

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Jaime,

Please send the Board of Trustees & complete Buildings & Grounds minutes for the 9/22/20 meeting per this OPRA request.

Thank you
Terri Lowe
[REDACTED]

UNION COUNTY COLLEGE
Cranford, New Jersey

Buildings and Grounds Committee
Minutes of Meeting
September 22, 2020

The meeting was called to order by Jeffrey H. Katz, Esq., Chair, at 6:30 p.m. via teleconference and in person in Room K-517 on the Elizabeth Campus. The following were present:

Committee Members:

Mr. Katz; Melinda Ayala; Rafael J. Betancourt, Esq.; Stephen F. Hehl, Esq.; Donna M. Herran; J. Anthony Manger, Esq.; Francis Raudelunas; Allan L. Weisberg; Dr. Margaret M. McMenamin, President.

Staff Liaison:

Lynne A. Welch, Vice President for Financial Affairs and Treasurer.

Also Present:

Denise Collins; Dr. Jaime M. Segal.

Minutes:

On motion duly made by Mr. Manger, seconded by Ms. Ayala, the Minutes of the June 23, 2020 Buildings and Grounds Committee Meeting were approved as submitted.

Review of FY 2019-2020 Project Prioritization:

Mrs. Welch reported that there were no changes to the Project Prioritization List.

Emergency Communications

Cell Tower Update

Mrs. Welch stated that at the Cranford Zoning Meeting held on September 14, 2020, Verizon's radio frequency engineer testified how data usage was greatly diminished while the DAS nodes were not operational during a recent power outage at the College, as DAS nodes don't have back up power. She stated that the meeting held on September 21, 2020 was the beginning of the objector residents' case. The next meeting is scheduled for November 9, 2020.

Campus Projects:

Mrs. Welch reported the following update to the Committee:

External Projects

Cranford Campus

McKay Library – Cooling Tower Relocation

- After two rounds of over-budget bids, the college will continue with open contract negotiations

Roy Smith Theater Renovation

- Demolition Phase Completed.
 - Permits approved on Sept 17, 2020 due to extended Plan Review Period
 - Contractors to re-mobilize on Monday, September 21, 2020

MacDonald Hall PTAC (HVAC) Project

- Project in Close-out Phase
- BMS Controls integration programming continues

Plainfield Campus

Thul Phase II Development & Sub-surface Water Detention Project:

- Building signage installed
- Project in close-out stage

Campus Gateway Sign

- Final Production Design approved
- Projected completion date of December 2020

Scotch Plains

HVAC Project

- Is in equipment commissioning stage

Flooring Installation Project

- Completed July 2020 with exception of first floor carpet. First floor carpet will not be installed until water intrusion has been corrected.

Elevator Replacement Project

- Pending Life Safety Systems installation to begin late September 2020

IT and Data

- Project pending completion of power distribution grids in data closets

Internal Projects

MacDonald Hall Renovations – Lighting and Carpet replacement

- Project on hold

Scotch Plains Building Renovation

- Interior Remodeling / Refresh Project Scope (Internal Project Work)
 - Third Floor Project near completion
- Work remaining to complete:
 - Fire stopping through wall penetrations for inspections
 - Restroom plumbing reconfiguration
 - Ceiling tile installation

With no further business on the agenda, a motion for adjournment was made by Mr. Betancourt, seconded by Mr. Manger and unanimously carried at 6:41 p.m.

UNION COUNTY COLLEGE
Cranford, New Jersey

BOARD OF TRUSTEES
Minutes of Meeting
September 22, 2020

CALL TO ORDER

The meeting was called to order by Victor M. Richel, Chair, at 8:06 p.m. via teleconference and in person in Room K-517 on the Elizabeth Campus. The following were in attendance:

TRUSTEES

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

GOVERNORS

Melinda Ayala; Tamecka Dixon; Donna M. Herran; Gary S. Horan; Jeffrey H. Katz, Esq.; J. Anthony Manger, Esq.; Carl J. Napor; Francis Raudelunas; Gordon L. Vickers; Allan L. Weisberg.

ALSO PRESENT

Denise Collins; Dr. Demond T. Hargrove, Vice President of Student Development; Dr. Maris A. Lown, Vice President Academic Affairs; Michael M. Horn, Esq., McCarter & English; 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

Completed.

MINUTES

On motion duly made by Mr. Connolly seconded by Mr. Betancourt, the Minutes of the Meeting of the Board of Trustees of June 23, 2020 were approved as submitted.

COMMUNICATIONS

Completed.

REPORTS OF JOINT TRUSTEES AND GOVERNORS COMMITTEES

AUDIT COMMITTEE

Mr. Horan stated that at the Audit Committee meeting held earlier, Mark Bednarz of PKF O'Connor Davies reviewed the 2019 Executive Compensation Report with the Committee and noted that it was a very clean report. He stated that Mr. Bednarz also reviewed the Information Technology – Data Security and Loss Prevention Report and stated that enhancements to existing controls need to be made. He reported that the College will incorporate cyber security training into the HR training program.

EDUCATIONAL PLANNING AND POLICY COMMITTEE

Mrs. Zimmermann reported to the Board that at the Educational Planning and Policy meeting held earlier, Dr. Lown reported that planning for the fall semester was challenging as new directives/guidelines were coming from the State every few weeks over the summer months. She stated that during the College's planning, the State was still in stage 2 which, except for programs which had received waivers (health sciences and auto technology), precluded the College from offering face to face classes. Dr. Lown reported that the fall semester schedule included the following approaches: Face to face courses (15%) are held on all three of our three campuses and offer a traditional classroom environment with a faculty presence and seating capacity that adheres to distancing requirements; Remote Live courses (70%) are held on the scheduled class day(s) and times. Faculty teach these courses in real time from a Cisco classroom or from another location. Students must have a laptop with a camera; and Online courses (15%) are delivered completely online and do not have required meeting times. Mrs. Zimmermann also reported that Dr. Cooner provided the results for the 2019-2020 Graduate Fair Survey. She stated a total of 1,668 graduates participated, and topics included: Plans After Graduation; Impact of COVID-19 on Education and Employment; Recommending Union County College to Prospective Students. She also reported that Dr. Lown and Dr. Hargrove outlined the Student Success Plan for the Academic Year 2020-2021. Mrs. Zimmermann stated that as of September 18, 2020 enrollment for fall is -10.2% and FTE is -10.1%.

Mrs. Zimmermann submitted the following Resolutions for approval:

Resolution E020-030 - Faculty Personnel Actions

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

Retirement:

Pedro Cosme, Professor, Social Sciences/ Business/ History Division, effective September 1, 2020.

Toby Marx, Professor, Social Sciences/ Business/ History Division, effective September 1, 2020.

Susan McLoughlin, Associate Professor, STEM Division, effective September 1, 2020.

Michael Murphy, Assistant Professor, Humanities Division, effective September 1, 2020.

Karen Schmidt, Associate Professor, Social Sciences/ Business/ History Division, effective September 1, 2020.

Lawrence Wollman, Associate Professor, Institute of Intensive English, effective September 1, 2020.

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

Resolution E020-031 - Staff Personnel Actions

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

Staff Appointments:

Hemlata Patel, Senior Grant Accountant, Financial Affairs, effective July 13, 2020, \$65,000 per annum.

Remond Carter, Student Services Generalist, Financial Aid, Student Development, effective September 21, 2020, \$42,010 per annum.

Staff Promotions/Reclassifications:

Sonia Bebenova, Tutoring Services Coordinator from Laboratory Coordinator, Academic Learning Center, Academic Affairs, August 17, 2020, \$48,364 per annum.

Joanna Kubas, Student Services Associate from Administrative Assistant, Admissions-Registration-Records, Student Development, August 17, 2020, \$56,725 per annum.

Luis Lugo, Maintenance Mechanic Helper from Facilities Site Lead, Facilities, Financial Affairs, August 17, 2020, \$38,884 per annum.

Heather Keith, Assistant Dean of Student Success and Director of Advising, Career and Transfer Services from Director of Advising, Career and Transfer Services, September 1, 2020, \$98,201 per annum.

Dr. Bernard Polnariev, Associate Vice President for Academic Affairs and Dean of the Scotch Plains Campus from Assistant Vice President for Academic Affairs and Dean of the Scotch Plains Campus, Academic Affairs, September 1, 2020, \$131,700 per annum.

Valeriya Reis, Budget Analyst from Accountant, Financial Affairs, September 1, 2020, \$64,000 per annum.

Beatriz Rodriguez, Assistant Dean of Students from Director of Enrollment Services, Student Development, September 1, 2020, \$79,443 per annum.

Rebecca Royal, Assistant Vice President and Dean of Student Success from Dean of Student Success, Student Development, September 1, 2020, \$110,590 per annum.

Marlene Sousa, Controller from Director, Financial Reporting and Budget, Financial Affairs, September 1, 2020, \$115,000 per annum.

Dr. Christiana Nwachukwu, Director of Nursing from Associate Professor, Practical Nursing, Academic Affairs, September 3, 2020, \$106,000 per annum.

Nancy Claudet, Student Services Associate, Financial Aid from Student Services Associate, Admissions-Registration-Records, Student Development, September 7, 2020, \$36,592 per annum.

Staff Employment Separations:

Milton Ellis, Public Safety Officer, Financial Affairs, effective May 16, 2020.

Maria Heredia, Recruiter, Student Development, effective June 30, 2020.

Raquel Vazquez, Student Services Generalist, Student Development, effective June 30, 2020.

Elgay Cesaire, Laboratory Technician, Academic Affairs, effective August 3, 2020.

Debra Ciecwisz, Academic Testing Proctor, Student Development, effective August 3, 2020.

Benilda Cortez, Circulation Clerk, Academic Affairs, effective August 3, 2020.

Robert D'Antonio, Student Services Associate, Student Development, effective August 3, 2020.

Stephon Fields, Student Services Associate, Student Development, effective August 3, 2020.

Keara George, Student Services Associate, Student Development, effective August 3, 2020.

Lori Jones, Help Desk Specialist/Circulation Clerk, Academic Affairs, effective August 3, 2020.

Alice Mateychak, Technician, Academic Affairs, effective August 3, 2020.

Kristin Nowicki, Student Services Associate, Student Development, effective August 3, 2020.

Roger St. Fort, Circulation Clerk, Academic Affairs, effective August 3, 2020.

Robert Bilinskas, Laboratory Technician, Academic Affairs, effective August 15, 2020.

Takimah Rein, Executive Assistant, Financial Affairs, effective August 15, 2020.

Patience Roberts, Division Secretary, Academic Affairs, effective August 15, 2020.

Pinky Samat, Senior Project Manager, Construction, Financial Affairs, effective August 15, 2020.

Matthew Axmann, Student Services Generalist, Student Development, effective September 14, 2020.

Keith Daniels, Audio Visual Technician-Coordinator, Academic Affairs, effective September 14, 2020.

Robert Dubina, Student Services Generalist, Student Development, effective September 14, 2020.

Tara Roach, Student Services Generalist, Student Development, effective September 14, 2020.

Brian Salisbury, Laboratory Coordinator, Academic Affairs effective September 14, 2020.

Shelby Miller, One Stop Manager, Student Development, effective August 21, 2020.

Ameer Dent, Custodian, Financial Affairs, effective August 31, 2020.

Nicole Vega-Cotto, Academic Specialist, Biochemistry, Academic Affairs, effective September 7, 2020.

Nancy Friedrich, Academic Specialist, Practical Nursing, Academic Affairs, effective September 15, 2020.

Akiva Simmons, Transition Coach for Youth Corps, CEWD, Financial Affairs, effective September 18, 2020.

Jameela Abdus-Saleem, Student Services Generalist, CEWD, Financial Affairs, effective September 25, 2020.

Dr. Jeffrey Gutkin, Director of Instructional Design, Academic Affairs, effective September 30, 2020.

Valentina Patino, Custodian, Facilities, Financial Affairs, effective October 1, 2020.

Andrea Melancon, Tutoring Services Coordinator, Academic Affairs, effective October 12, 2020.

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 June 8, 2020 to September 4, 2020, 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.

Current Estimate Report:

Mr. Connolly reviewed the Current Estimate Report and stated that at this time, a transfer to Unrestricted Net Position of \$827 thousand 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 F020-101 - ABLE PLUS Consortium Funding Acceptance

WHEREAS, Union County College ("College"), 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 (the "Department") for funding under the Workforce Investment Act of 1998, Title II, the Adult Education and Family Literacy Act, and

WHEREAS, the ABLE PLUS Consortium ("Consortium") consists of Union County College, as the lead agency, and three public education partners; Elizabeth Board of Education, Literacy New Jersey Union County Program, and Urban Workforce Advantage Inc., and

WHEREAS, the purpose of the Consortium is to deliver 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 County College, 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 734 clients for the duration of this program, and the Consortium is expected to service 1,166 clients in total, and **WHEREAS,** on June 30, 2020, the State of New Jersey Department of Labor and Workforce Development notified Union County College that the Consortium will be awarded \$1,197,647, and **WHEREAS,** the State of New Jersey Department of Labor and Workforce Development approved \$1,197,647 to the Consortium; the distribution

of funds will include \$765,347 to Union County College for the period July 1, 2020 to June 30, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College accepts \$1,197,647 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, 2020 to June 30, 2021.

Resolution F020-102 - Governor's Emergency Education Relief Fund (GEERF) Grant

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

WHEREAS, on March 27, 2020, the CARES Act was enacted to provide economic stimulus in response to the global pandemic caused by the Novel Coronavirus Disease 2019 (COVID-19), and

WHEREAS, the Governor's Emergency Education Relief Fund (GEERF) was established pursuant to Section 18002 of the Cares Act to provide monetary awards to New Jersey public institutions of higher education to reimburse these entities for necessary expenditures incurred due to the public health emergency caused by COVID-19, and

WHEREAS, the College received funding from the State of New Jersey, Office of the Secretary of Higher Education for allowable expenditures incurred on or after March 13, 2020 for the amount of \$987,312 through the Governor's Emergency Education Relief Fund (GEERF) Grant, and

WHEREAS, the College shall use the Governor's Emergency Education Relief Funds (GEERF) Grant to achieve its goals between the dates of July 1, 2020 and September 30, 2021, for allowable costs defined in Section 18002 (c) of the Cares Act and develop guidelines for how these funds will be spent;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College accepts \$987,312 from the State of New Jersey, Office of the Secretary of Higher Education for the Governor's Emergency Education Relief Fund (GEERF) Grant to be used between the period July 1, 2020 and September 30, 2021.

Resolution F020-103 - Scaling Apprenticeships Through Sector Based Strategies

WHEREAS, Union County College, 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 US Department of Workforce Development 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 include 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 County College, Ocean County College, Passaic County Community College, Rowan College at Burlington, Rowan College of Gloucester County and Union County College, 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 will form 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 and community-based organizations and the NJ 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 County College has received notification that \$274,940 has been awarded to Union County College as a sub-recipient through Bergen Community College for the period July 15, 2020 through July 14, 2021;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College accepts \$274,940 from the US 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, 2020 through July 14, 2021.

Resolution F020-104 - New Jersey Youth Corp Program

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

WHEREAS, the College applied to the State of New Jersey Department of Labor and Workforce Development (the "Department") for funding for NJ Youth Corps (NJYC) under the Workforce Innovation and Opportunity Act of July 22, 2014 for the period July 1, 2019 to June 30, 2020 and July 1, 2020 to September 30, 2020, and

WHEREAS, the purpose of this NJYC program is to provide a full-time, year round program designed to assist young adults, ages 16 – 25, who have dropped out of high

school without earning a high school diploma to successfully transition to employment, college or additional training, and

WHEREAS, the Center for Economic and Workforce Development will coordinate this NJYC program with other resources of the American Job Center's One-Stop System and maintain linkage and collaboration with the American Job Center's One-Stop Career Center, and additional local non-profit organizations to service the anticipated participants in the program, and

WHEREAS, Union County College received notification that funding in the amount of \$450,000 was approved for the period July 1, 2019 to June 30, 2020 and the College further received notification on June 30, 2020 that funding was approved for the period July 1, 2020 to September 30, 2020 for \$105,134 which is a continuation of services for current fiscal year 2020 NJYC grantees;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College accepts the funding of \$450,000 for the New Jersey Youth Corp Program from the State of New Jersey Department of Labor and Workforce Development for the fiscal period July 1, 2019 to June 30, 2020 and \$105,134 for the period July 1, 2020 to September 30, 2020.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved Resolutions F020-101 through F020-104 for adoption.

Contracts Exempt from Competitive Bidding

Resolution F020-105 - COVID-19 Emergency HVAC Tools and Supplies

WHEREAS, the College requires emergency HVAC tools and supplies for all campuses 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 County College Contracts Law, N.J.S.A. 18A:64A-25.6 provides for an exception to the requirement of advertising for bids when there is an emergency affecting the health, safety or welfare of occupants of the college property which requires the immediate delivery of products and or services, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.9 provides for awarding contracts without public competitive bids when there is a state agreement that has been publicly bid for the product or service, and

WHEREAS, on July 6, 2020, W.W. Grainger, Inc., Lake Forest, IL submitted a proposal under state contract # M0002 for HVAC filters, tools and general safety supplies at a cost not to exceed \$21,500 which did not require Board of Trustees approval, and

WHEREAS, there exists an additional need for emergency HVAC tools and supplies for all campuses during this pandemic crisis. The College can utilize W.W. Grainger,

Inc.'s state contract # M0002 to satisfy this additional emergent need for a total cost not to exceed \$30,000, 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 Financial Affairs and Treasurer has determined that the total contract award will exceed \$17,500, and

WHEREAS, NJ State Contract vendors are subject to the Pay-to-Play Law and are required to maintain Business Entity Disclosure and Political Contribution Disclosure Certifications with the State of New Jersey to maintain their position as a state contract vendor, thereby releasing Union County College from the requirement to obtain such documentation, and

WHEREAS, 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 ratify an award to W.W. Grainger, Inc., Lake Forest, IL for COVID-19 emergency HVAC tools and supplies during this pandemic crisis at a cost of \$30,000, for a total award not to exceed \$51,500.

Resolution F020-106 - Office Supplies

WHEREAS, the College requires office supplies for all campuses to assist with the administrative support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.9 provides for awarding contracts without public competitive bids when there is a state contract that has been publicly bid for the product or service, and

WHEREAS, since July 1, 2020 the spend with W.B. Mason Co. Inc., Brockton, MA under state contract # M88839 for office supplies was \$3,517, which was under the threshold of \$17,500 and did not require Board of Trustees approval, and

WHEREAS, there exists an additional need for ongoing office supplies for all campuses. The College can utilize W.B. Mason Co., Inc.'s state contract # M88839 to satisfy the ongoing need of \$47,388 for Fiscal Year 2020-2021, and

WHEREAS, the spend for Fiscal Year 2019-2020 with W.B. Mason Co. Inc., Brockton, MA was \$46,278, and

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

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

WHEREAS, NJ State Contract vendors are subject to the Pay-to-Play Law and are required to maintain Business Entity Disclosure and Political Contribution Disclosure Certifications with the State of New Jersey to maintain their position as a state contract vendor, thereby releasing Union County College from the requirement to obtain such documentation, and

WHEREAS, 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 W.B. Mason Co. Inc., Brockton, MA at a cost of \$47,388 for office supplies for a total award not to exceed \$50,905 for Fiscal Year 2020-2021.

Resolution F020-107 - Respiratory Lab Equipment

WHEREAS, there is a need for respiratory lab equipment for the College's health science classes on the Plainfield Campus in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5. (10) provides for an exception to the requirement of advertising for bids in the provision of specialized machinery or equipment of a technical nature which will not reasonably permit the drawing of specifications and the procurement thereof without advertising is in the public interest, and

WHEREAS, Airgas, Inc., Radnor, PA has submitted several proposals for health science and technical instructional classes at a cost not to exceed \$16,574 for Fiscal Year 2020- 2021, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and,

WHEREAS, Airgas, Inc., Radnor, PA has provided an additional proposal for health science respiratory lab equipment at a cost not to exceed \$3,140, 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 to Airgas, Inc., Radnor, PA shall be subject to the college's receipt of the 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 the

contract award, and that they will be prohibited from making any reportable contributions through the term of the contracts, 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 Airgas, Inc., Radnor, PA for \$3,140 for health science respiratory lab equipment for a total cost not to exceed \$19,714 for Fiscal Year 2020-2021.

BE IT FUTHER RESOLVED that the Board of Trustees of Union County College award a contract to Airgas, Inc., Radnor, PA 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 Resolutions F020-105 through F020-107 for adoption.

Resolution F020-108 - Instructional Services

WHEREAS, the College provides instructional services classes designed in an engaging and collaborative environment to mirror real experiences for students 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 the awarding of contracts for professional consulting services without public competitive bids, and

WHEREAS, on July 1, 2020 National Career College LLC, East Orange, NJ submitted a proposal for health science instructional classes at a cost not to exceed \$9,000 for Fiscal Year 2020-2021, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and

WHEREAS, National Career College LLC, East Orange, NJ provided a proposal for additional non-credit instructional classes as follows:

Classes	Funding Source	Cost per Student	Number of Students	Costs
EKG	CE-Adult Education	\$ 275	20	\$ 5,500
Phlebotomy	CE-Adult Education	\$ 550	20	\$11,000
Anatomy, EKG, Phlebotomy, Pharmacology, Drug Interaction and Patient Care Technician	Opportunity Partnership Grant (OPG) -Patient Care	\$1,800	25	\$45,000
			TOTAL	\$61,500

and

WHEREAS, payment is made to National Career College, LLC, East Orange, NJ only when student(s) have registered for classes under their assigned funding source, 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, National Career College LLC, East Orange, 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 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 National Career College LLC, East Orange, NJ for instructional services classes at a total cost of \$61,500 for a total award not to exceed \$70,500 for Fiscal Year 2020-2021.

Resolution F020-109 - Insurance Services

WHEREAS, the College provides dental and vision insurance to its employees and uses brokerage services to obtain the best contract for the College, and

WHEREAS, there is a need for additional insurance coverage for property owned by the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5.a.(11) provides for an exception to the requirement of advertising for bids for insurance, including the purchase of insurance coverage and consulting services, which exceptions shall be in accordance with the requirements for extraordinary unspecifiable services, and

WHEREAS, on May 19, 2020, the Board of Trustees awarded a contract to Meeker Sharkey & Associates, LLC, Cranford, NJ for insurance brokerage and risk management consulting services at a cost not to exceed \$43,000, and

WHEREAS, on June 23, 2020, the Board of Trustees awarded a contract to Meeker Sharkey & Associates, LLC, Cranford, NJ for multi-peril, cyber liability, student intercollegiate sports, catastrophic and accident insurance policies at a cost not to exceed \$726,500, and

WHEREAS, Meeker Sharkey & Associates, LLC, Cranford, NJ has further submitted a proposal to provide brokerage services including consulting and administration for the College's group dental and vision insurance plans at a cost not to exceed \$15,000 for the period September 2020 through August 2021, and

WHEREAS, the cost for dental and vision insurance plan brokerage services for the past twelve months was \$15,000, and

WHEREAS, the Builders' Risk insurance for the Scotch Plains property expired on July 26, 2020 and the property must be added to the College's package insurance policy for a total cost not to exceed \$20,496, 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, Meeker Sharkey & Associates, LLC, Cranford, NJ has completed and submitted Business Entity Disclosure and Political Contribution Disclosure Certifications, certifying that they have not made any reportable contributions to a political or candidate committee in the one year previous to the contract award, and they will be prohibited from making any reportable contributions through the term of the contract, and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to Meeker Sharkey & Associates, LLC, Cranford, NJ for dental and vision insurance plan brokerage services at a cost not to exceed \$15,000 from September 2020 through August 2021 and ratify an award of

\$20,496 to insure the Scotch Plains property, for a total award not to exceed \$804,996 for Fiscal Year 2020-2021 through 2021-2022.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved Resolutions F020-108 and F020-109 for adoption.

Resolution F020-110 - Video Enabled Classrooms and Data Switch Replacements-COVID-19

WHEREAS, the college requires equipment, installation and licensing for thirty (30) WebEx video enabled classrooms across all campuses to facilitate remote learning during the COVID-19 pandemic crisis along with data switch replacements for classrooms which are essential to teaching and administrative functions in support of the mission of the College, and

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

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

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

WHEREAS, the College received funding on May 04, 2020, in the amount of \$3,696,504 for the period of May 04, 2020 through May 03, 2021 from the institutional portion of the Higher Education Emergency Relief Fund authorized by Section 18004(a)(1) and 18004(c) of the CARES Act to cover costs associated with changes in moving to a remote learning environment due to the coronavirus pandemic, and

WHEREAS, on July 15, 2020, at a virtual Webex meeting of the Joint Executive Committee of the Board of Trustees and Board of Governors, the Joint Executive Committee reviewed and discussed the purchase of the video enabled classrooms during the current pandemic crisis which would support our students learning in the remote environment. As a result of this meeting, the College moved the acquisition forward to be ready for Fall 2020, and

WHEREAS, Aspire Technology Partners LLC, Eatontown, NJ has submitted two (2) proposals under NASPO Contract #87720, National Association of State Procurement Officials to provide video enabled classrooms across all campuses and data switch replacements for classrooms as follows:

Description	Amount
30 Units -Room Kits with Integrated Microphone, Speakers and Touch 10	\$159,667
30 Units-Room Kits	\$ 23,996
30 Units-Aspire (Install, Configure, Design, Accessories and Support)	\$267,000
Professional Services and CX Training	\$ 47,707
Aspire-Cisco COVID Credit	(\$ 48,370)
Sub-Total	\$450,000
IDF Switch Cisco 9400 Series and Accessories	\$ 33,580
Cisco Catalyst 9400 Essential 5 Year License	\$ 3,562
Sub-Total	\$ 37,142
Total	\$487,142

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, NASPO utilized competitive bidding for the award of the contracts to Aspire Technology Partners LLC, 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 ratify an award to Aspire Technology Partners LLC, Eatontown, NJ for video enabled classrooms at a cost of \$450,000 and award a contract for data switch replacements at a cost of \$37,142 for a total award not to exceed \$742,090 for Fiscal Year 2020-2021.

Resolution F020-111 - Student Retention and Instructor Insight Software Maintenance, Licensing and Support

WHEREAS, the College has a need to identify students and instructors that may require additional support or services, especially during the remote learning environment precipitated by COVID-19, through the use of a student retention and 'Instructor Insight' software which are essential to student success 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, on July 6, 2020, AspirEDU Inc., Tampa, FL submitted a proposal at a cost not to exceed \$16,000 for 3,000 students from July 1, 2020 until June 30, 2021, to provide annual maintenance, licensing and support for 'Dropout Detective' software used to increase retention and graduation rates, which was under the threshold of \$17,500 and did not require Board of Trustee approval, and

WHEREAS, AspirEDU Inc., Tampa, FL has submitted an additional proposal at a cost not to exceed \$9,720 for 'Instructor Insight' software, maintenance, licensing and support to provide metrics on the engagement and performance of instructors in their courses for 3,000 students for one year, and

WHEREAS, the cost for only the 'Dropout Detective' software maintenance, licensing and support services for the most recent twelve (12) months was \$16,200 for 3,000 students, 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 to AspirEDU Inc., Tampa, FL shall be subject to the College's receipt of the 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 the contract award, and that they will be prohibited from making any reportable contributions through the term of the contracts, 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 AspirEDU Inc., Tampa, FL at a cost of \$9,720 for 'Instructor Insight' software maintenance, licensing and support for a total award not to exceed \$25,720 for Fiscal Year 2020-2021.

BE IT FUTHER RESOLVED that the Board of Trustees of Union County College award a contract to AspirEDU Inc., Tampa, FL 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.

Resolution F020-112 Information Technology Network Consulting Services, Licenses and Maintenance– COVID-19

WHEREAS, in response to the COVID -19 pandemic and increased reliance on online resources there is an emergent need for information technology (IT) network consulting services and adobe licenses and maintenance 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 services, 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 exceptions to the requirement of advertising for 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 received funding on May 04, 2020, in the amount of \$3,696,504 for the period of May 04, 2020 through May 03, 2021 from the institutional portion of the Higher Education Emergency Relief Fund authorized by Section 18004(a)(1) and 18004 (c) of the CARES Act to cover costs associated with changes in moving to a remote learning environment due to the coronavirus pandemic, and

WHEREAS, on June 23, 2020 the Board of Trustees awarded a contract to SHI International Corp., Somerset, NJ, to provide Virtual Desktop Infrastructure technology, including specialized hardware, licensing and support, allowing students to access all of the College's specialized academic software from any device, for a total cost not to exceed \$1,500,000, and

WHEREAS, SHI International Corp., Somerset, NJ, submitted additional proposals under national cooperative OMNIA #2018011-02 for IT Network Consulting Services to provide consulting services to establish strategic redundancy for the College's network structure at the Elizabeth Campus as a back-up for the Cranford Campus and for Adobe Licenses necessary for the Virtual Desktop Infrastructure , for total costs not to exceed \$25,028 and \$35,338 respectively, 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 utilized competitive bidding for the award of the contracts to SHI International Corp., Somerset, NJ, thereby releasing Union County College from the requirement to obtain Pay-to-Play documentation, and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award contracts to SHI International Corp., Somerset, NJ for IT network consulting services at a cost of \$25,028 and adobe licenses for \$35,338 for a total award not to exceed \$1,560,366.

Resolution F020-113 Business Management Software Licensing

WHEREAS, the College has a need to provide business management software licensing to enhance student's knowledge and achieve objectives in the business programs in support of the mission of the College, and

WHEREAS, the County College Contracts Law, N.J.S.A. 18A:64A-25.5. a. (3) provides for an exception to the requirement of advertising for bids for the purchase of items or services not available from more than one potential bidder, 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, Bloomberg Finance L.P., New York, NY submitted a proposal for Bloomberg Terminal business software licenses at a cost not to exceed \$70,920 from September 2020 through August 2021 which will be password protected to restrict access to eligible students enrolled in Perkins programs, and

WHEREAS, the cost for Perkins funded Bloomberg Terminal business software licenses for the last twelve (12) months was \$70,920, and

WHEREAS, on June 23, 2020, the Board of Trustees authorized the College to obligate Carl D. Perkins Career and Technical Education Improvement Grant funds in advance of accepting the funds to fully utilize Perkins funding for Fiscal Year 2020-2021, and

WHEREAS, the Vice President of Financial Affairs and Treasurer has determined that this purchase is within the stated purpose and goals of Carl D. Perkins Career and Technical Education Improvement Grant, 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 value of the acquisition will exceed \$17,500, and

WHEREAS, Bloomberg Finance L.P., New York, NY 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 Financial Affairs and Treasurer; NOW,

THEREFORE, BE IT RESOLVED that the Board of Trustees of Union County College award a contract to Bloomberg Finance L.P., New York, NY for ten (10) months of the business management software licensing occurring in Fiscal Year 2020-2021 at a cost not to exceed \$59,100 and further award a contract, subject to an allocation of Perkins grant funds, for the two (2) months in Fiscal Year 2021-2022 at a cost not to exceed \$11,820 for a total cost not to exceed \$70,920.

On motion duly made by Mr. Connolly, seconded by Mr. Betancourt and unanimously carried, the Board approved Resolutions F020-110 through F020-113 for adoption.

BUILDINGS AND GROUNDS

Mr. Katz reported that there were no changes to the Project Prioritization List.

Cell Tower Update

Mr. Katz stated that at the Cranford Zoning Meeting held virtually on September 14, 2020, Verizon's radio frequency engineer testified how data usage was greatly diminished while the DAS nodes were not operational during a recent power outage at the College, as DAS nodes don't have back up power. He stated that the meeting held on September 21, 2020 was the beginning of one of the experts for the objector residents' case. The next meeting is scheduled for November 9, 2020.

OPEN MEETING TO THE PUBLIC

No one rose to speak.

UNFINISHED BUSINESS

On motion duly made by Mrs. Zimmermann, seconded by Mr. Connolly and unanimously carried, the Board ratified all actions taken at the Joint Board of Governors and Trustees that immediately preceded this Trustees Meeting, and that the Minutes of the Joint Meeting shall be appended to and made part of these Trustee Minutes.

NEW BUSINESS

The next meeting on Monday, November 2, 2020 is a Board of Trustees meeting scheduled for the Cranford campus.

EXECUTIVE SESSION

There is no Executive Session this month.

ADJOURNMENT

With no further business on the agenda, a motion for adjournment was made by Mr. Betancourt and seconded by Mrs. Zimmermann at 8:30 p.m.