

RARITAN VALLEY COMMUNITY COLLEGE
BOARD OF TRUSTEES' REGULAR MEETING
OCTOBER 25, 2022

MINUTES

I. Call to Order

The Regular Meeting of the Board of Trustees of Raritan Valley Community College was held on Tuesday, October 25, 2022 via Zoom Webinar. Chair Caren Bateman called the Regular Board of Trustees meeting to order at 5:00 p.m., and made the following statement in compliance with the Open Public Meetings Act of the State of New Jersey:

“Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act of the State of New Jersey.”

II. Roll Call of Members

The roll call was taken as follows:

Present: Caren Bateman
Thomas Borkowski
Zenon Christodoulou
Preston Clawson
Tracy DiFrancesco
Paul J. Hirsch
W. Timothy Howes
Roger Locandro
Nidhi Makhija
Margaret Sullivan
Helena Swanicke
James Von Schilling

Absent: Roger Jinks
Howard Opdyke
Juan Torres

Also in attendance: Michael J. McDonough, President; and Richard Flaum, Esq., College Counsel; and members of the College community.

A quorum was present.

III. Agenda Items

1. President's Report

President Michael McDonough reported with great sadness on the passing of RVCC student Jorge Antonio. The President asked that the College community keep his family and friends in their thoughts and prayers and also for those individuals in our College community who have also suffered losses in their families. A moment of silence was held in remembrance of Jorge Antonio.

Chair Caren Bateman expressed her appreciation to Trustees for their participation in the Educational Board Retreat on Trusteeship held earlier in the day. The Chair also expressed her appreciation to the trustees for taking time to complete the Annual Board Self-Evaluation, which provides the Board the ability to annually assess their performance and to evaluate how they are fulfilling their responsibilities. The evaluation process also provides Middle States with a more complete portrait of RVCC's governance structure and the roles,

responsibilities, and accountability for the governing body (as stipulated in Standard VII on Governance, Leadership, and Administration.)

Chair Bateman then reported on the format of future Board meetings, which will begin at the December 13, 2022 Annual Board of Trustees Reorganization meeting, immediately followed by the Regular Board of Trustees meeting.

- Committee meetings will remain virtual. If they desire, Trustees may attend in-person.
- Committee meetings will end in a timely way to allow trustees to travel to campus for in-person Board meetings.
- Board members will meet in-person for the Public meeting. A virtual accommodation will also be available to trustees and to the public who are unable to attend in-person.
- The Board meeting time will commence at 5:30 p.m.
- To allow for the necessary technical assistance, Board meetings will be held in Grand Conference Rooms A and B in the Events Center.

The 2023 Board meeting schedule is as follows:

- January 24, 2023
- February 21, 2023
- March 21, 2023
- April 18, 2023
- May 23, 2023
- June 20, 2023
- August 22, 2023
- September 19, 2023
- October 24, 2023
- December 12, 2023

2. Approval of Meeting Minutes

The Regular Meeting minutes of September 20, 2022 were moved by Chair Bateman, and seconded by Trustee Locandro, and approved by voice vote.

3. Committee Reports

A. Finance Committee

Trustee Roger Locandro reported on the Treasurer's Report (Resolution #30-FY23) for the period 09/01/22 to 09/30/22. On motion by Trustee Locandro, seconded by Trustee Hirsch, the Treasurers' Report was approved by voice vote.

Trustee Roger Locandro then presented Consent Agenda Resolutions #31-FY23 through #42-FY23 and Resolutions #45-FY23 through #48-FY23. Resolution #43-FY23 (*Laptop Computers for the Center for Workforce Innovation in Advanced Manufacturing*) and Resolution #44-FY23 (*Replacement Data Network Firewalls*) were withdrawn. The above stated resolutions were moved by Trustee Locandro, seconded by Chair Bateman,

and approved by voice vote. Resolution #36-FY23 (*Event Center Emergency Generator*) was discussed and was approved during Consent agenda.

Resolution #31-FY23 – Various Vouchers for Payment

BE IT RESOLVED, that the following September 2022 vouchers be approved for payment; and

BE IT FURTHER RESOLVED, that the funds are available for that purpose:

Check #s	341549-342082	
ACH#s	1	
Total Checks		\$1,542,373.82
Total ACH		8,471.96
Total Vouchers		1,550,845.78
Construction and Architect Vouchers		108,251.21
Less Previously Approved		(257,059.08)
Total		<u>\$1,402,037.91</u>

Resolution #32-FY23 Contractor Payments for November and December 2022

WHEREAS, Raritan Valley Community College regularly engages the services of General Contractors, Architects, Engineers and other consultants in connection with the College's capital projects; and

WHEREAS, RVCC's standard procedure is to obtain authorization to pay these invoices from the Board of Trustees at each monthly meeting; and

WHEREAS, there is no Board of Trustees meeting scheduled for the month of November 2022 but there may be invoices due for the months of November and December prior to the December 2022 Board meeting; and

WHEREAS, since the Prompt Payment Act (P.L. 2006, c.96, codified as N.J.S.A. 2A:30A-1 et seq.) was signed into law on September 1, 2006, owners are required to pay interest if payment is not made within thirty (30) calendar days after the billing date for work that has been approved and certified by the owner or the owner's authorized approving agent; and

WHEREAS, to comply with this legislation and ensure timely payment to our contractors and consultants:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the VP of Finance & Facilities or his/her designee to pay any general contractor, architect, engineer or other consultant invoices for the months of November and December 2022, and report the pertinent information at the December 2022 Board Meeting scheduled for Tuesday, December 13, 2022.

Michael DePinto
Director of Purchasing

Resolution #33-FY23 Arts Building Additional Site Work – Pay to Play (Pave-Rite)

WHEREAS, the installation of additional Belgian Block curb, pavement and related site work services on the East Side of the Arts Building is needed in preparation for the completion of the Arts Building Additions and Alterations project; and

WHEREAS, the scope of this work includes the following:

- Reset the existing Type B inlet and convert to a Type E inlet.
- Install approximately 67 linear feet of Belgian Block curb.
- Grade area to accept new pavement section.
- Install a 4” thick compacted section of quarry process stone.
- Install a 3” thick compacted section of HMA 19M64 Base Course.
- Install a 2” thick compacted section of HMA 9.5M64 Surface Course.
- Additional Grading for paths around building.

WHEREAS, three (3) quotes were obtained with Pave-Rite, Inc. presenting the College with the most favorable pricing; and

WHEREAS, the funding for this work is available through the Chapter 12 capital funds allocated for the Arts Building construction; and

WHEREAS, the Director of Purchasing has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, such award of contract shall be made in compliance with New Jersey’s Pay to Play Law as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the following company has completed and submitted a Business Entity Disclosure Certification for the period of July 1, 2022 through June 30, 2023, which certifies that there have been no reportable contributions to a political party, candidate committee or individual candidate in Hunterdon or Somerset Counties in the previous one-year, and will not make any reportable contributions over the next one-year:

Pave-Rite, Inc. 40 Radel Avenue Bridgewater, NJ 08807 <u>Amount:</u> \$27,600.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Director of Purchasing to issue a purchase order in the amount shown above to Pave-Rite, Inc.

BE IT FURTHER RESOLVED, that the Determination of Value Certification be placed on file with this Resolution.

Michael DePinto
Director of Purchasing

Resolution #34-FY23 Cafeteria Kitchen Equipment Service and Repairs – Pay to Play

WHEREAS, Raritan Valley Community College requires the service and repair of the cafeteria kitchen equipment in order to ensure the uninterrupted daily campus food service operation; and

WHEREAS, RVCC has spent \$9,766.46 to date with Able Mechanical, Inc. during Fiscal Year 2023; and

WHEREAS, the Director of Purchasing has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, such award of contract shall be made in compliance with New Jersey's Pay to Play Law as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the following company has completed and submitted a Business Entity Disclosure Certification for the period of July 1, 2022 through June 30, 2023, which certifies that there have been no reportable contributions to a political party, candidate committee or individual candidate in Hunterdon or Somerset Counties in the previous one-year, and will not make any reportable contributions over the next one-year:

Able Mechanical, Inc. 280 State Route 35 Suite 203 Red Bank, NJ 07701 <u>Amount</u> : Not to Exceed \$37,000.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Director of Purchasing to issue purchase orders as described hereinabove; and

BE IT FURTHER RESOLVED, that the Determination of Value Certification be placed on file with this Resolution.

Michael DePinto
Director of Purchasing

Resolution #35-FY23 Replacement of the Hunterdon Hall Transformer – Pay to Play

WHEREAS, Raritan Valley Community College requires the replacement of the 100Kva transformer located in the Hunterdon Hall building; and

WHEREAS, the existing Hunterdon Hall transformer is over forty-five (45) years old which is significantly past its expected life; and

WHEREAS, three (3) quotes were obtained with MetroTek Electrical Services presenting RVCC with the most favorable proposal; and

WHEREAS, the funding for this work is available through the Chapter 12 capital funds allocated for the Replacement of Three Transformers; and

WHEREAS, the Director of Purchasing has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, such award of contract shall be made in compliance with New Jersey's Pay to Play Law as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the following company has completed and submitted a Business Entity Disclosure Certification for the period of July 1, 2022 through June 30, 2023, which certifies that there have been no reportable contributions to a political party, candidate committee or individual candidate in Hunterdon or Somerset Counties in the previous one-year, and will not make any reportable contributions over the next one-year:

MetroTek Electrical Services Company 2200 Northwood Avenue Suite #2 Easton, PA 18045 <u>Amount:</u> \$30,449.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Director of Purchasing to issue a purchase order in the amount shown above to MetroTek Electrical Services Company.

BE IT FURTHER RESOLVED, that the Determination of Value Certification be placed on file with this Resolution.

Michael DePinto
Director of Purchasing

Resolution #36-FY23 Event Center Emergency Generator

WHEREAS, the Executive Director of Facilities and Grounds is currently in the process of developing specifications with the College engineers to develop specifications for the purchase and installation of a new emergency generator for the Events Center building; and

WHEREAS, this new emergency generator will provide back up to all lighting and electrical loads for the building as well as partial air conditioning; and

WHEREAS, the College administration estimates that the total cost of the entire project will not exceed \$150,000.00; and

WHEREAS, below is an estimated breakdown of each aspect of the work:

- Engineering and Survey Work - \$10,000.00
- Purchase of the Generator - \$85,000.00
- Installation of the Generator by an Electrical Contractor - \$35,000.00
- General Contractor and Site Work for the Generator - \$20,000.00; and

WHEREAS, due to the significant lead time associated with delivery, the College would like to issue a purchase order for the generator as soon as possible once the specifications have been completed and the vendor proposals have been received and reviewed; and

WHEREAS, proposals for the purchase of the generator will be obtained from vendors who are associated with National, State, County or Regional purchasing cooperatives or consortiums, which are competitively bid and exempt from the public bid process; and

WHEREAS, the funding for this work is available through the Chapter 12 capital funds allocated for the Replacement of Three Transformers; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the College administration to proceed with each aspect of the project listed above, for a total amount not to exceed \$150,000.00, and report all of the pertinent information to the Board as each portion of the work is awarded.

Michael DePinto
Director of Purchasing

Resolution #37-FY23 Facilities Master Plan Reaffirmation

WHEREAS, the Board of Trustees recognizes the importance and necessity of the College having a long-range campus facilities plan to complement the strategic planning process and develop a well-reasoned approach to the expansion of its physical plant; and

WHEREAS, the Board acknowledges that it has reviewed the most recent Campus Master Plan dated May 4, 2021 which includes a broad view of the campus geography, pedestrian and vehicular circulation, building exterior and interior components, and programmatic requirements with separate emphases on a nursing/allied health building and potential student housing.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College hereby approves the College's Campus Master Plan and authorizes Pres. McDonough, or his designate, to file such notice of adoption with the appropriate State and Federal agencies as may be required.

John Trojan, VP Finance & Facilities

Resolution #38-FY23 Civil Engineer for Workforce Center Addition

WHEREAS, Raritan Valley Community College requires civil engineering services be performed for the design of the Workforce Training Center Addition project; and

WHEREAS, these services are considered professional services and are therefore exempt from public bidding in accordance with N.J.S.A. 18A:64A-25.5(a) (1); and

WHEREAS, the Director of Purchasing has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, such award of contract shall be made in compliance with New Jersey's Pay to Play Law as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the following company has completed and submitted a Business Entity Disclosure Certification for the period of July 1, 2022 through June 30, 2023, which certifies

that there have been no reportable contributions to a political party, candidate committee or individual candidate in Hunterdon or Somerset Counties in the previous one-year, and will not make any reportable contributions over the next one-year:

Van Cleef Engineering Associates, LLC 32 Brower Lane Hillsborough Township, NJ 08844 <u>Total Amount Not to Exceed: \$32,000.00</u>
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NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Vice President for Finance and Facilities to enter into an agreement and issue a purchase order as described hereinabove; and

BE IT FURTHER RESOLVED, that the Determination of Value Certification be placed on file with this Resolution.

John Trojan
Vice President for Finance and Facilities

Resolution #39-FY23 Architect Selection for Workforce Center Addition

WHEREAS, Raritan Valley Community College requires architectural services be performed for the design of the Workforce Training Center Addition project; and

WHEREAS, these professional services include only general architectural and structural with mechanical/electrical/plumbing (MEP) and civil subject to a separate selection process; and

WHEREAS, these services are considered professional services and are therefore exempt from public bidding in accordance with N.J.S.A. 18A:64A-25.5(a) (1); and

WHEREAS, thirteen (13) bid RFP's were distributed and eight (8) proposals were obtained with USA Architects presenting the College with the most favorable plan; and

WHEREAS, a purchase order will be issued as follows:

USA Architects 20 N. Doughty Avenue Somerville NJ 08876 <u>Total Amount Not to Exceed: \$143,500</u>

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Vice President for Finance and Facilities to enter into an agreement and issue a purchase order as described hereinabove to USA Architects.

John Trojan
Vice President for Finance and Facilities

Resolution #40-FY23 Higher Education Facilities Trust Fund Grant Application

Resolution approving and authorizing the undertaking and implementation of a project consisting of "Constructing an Allied Health building" and authorizing the financing of all or a portion of the project through program(s) made available by the state of New Jersey for New Jersey institutions of higher education and other available funding sources; approving and authorizing the form of the application to the secretary of higher education for participation in such program(s) as are applicable to the projects with such changes as are approved by the officers of the institution designated herein and the submission of the application to the secretary of higher education; approving and authorizing the execution and delivery of any and all agreements in connection with undertaking, implementing and financing the project in the form approved by the officers of the institution executing such agreement; and designating and authorizing the officers of the institution to take the aforementioned actions and to take any and all such other actions deemed necessary or desirable to undertake, implement and finance the project.

WHEREAS: The Board of Trustees (the "Board") of Raritan Valley Community College (the "Institution") desires to approve the undertaking, implementation and financing of a project (the "Project") consisting of construction an Allied Health Building; and

WHEREAS: The Board commits to using the grant funds for the purposes set forth in the Program-specific Project Eligibility Criteria; and

WHEREAS: The Board desires to approve the aggregate costs of the Project paid and/or financed through all sources in an amount not to exceed \$16,000,000.00; and

WHEREAS: The Board desires to finance all or a portion of the Project through one or more of the hereinafter defined Programs made available by the State of New Jersey (the "State") for certain projects of New Jersey institutions of higher education (the "Programs"); and

WHEREAS: The Programs are the Higher Education Fund Capital Improvement Fund Act, N.J.S.A. 18A:72A-72 et seq. ("CIF"); the Higher Education Facilities Trust Fund Act, N.J.S.A. 18A:72A-49 et seq. ("HEFT"); the Higher Education Technology Infrastructure Trust Fund Act, N.J.S.A. I 8A:72A-59 et seq. ("HETI"); and the Higher Education Equipment Leasing Fund Act, N.J.S.li. 18A:72A-40 et seq. ("ELF");

WHEREAS: The Board has determined that the Project will assist in serving the needs of its students and providing a benefit to the institution; and

WHEREAS: The Board desires to approve financing of all or portions of the Project through HEFT; and

WHEREAS: Portion(s) of the Project may also be financed by bonds issued by the New Jersey Educational Facilities Authority which bear tax-exempt interest for federal income tax purposes ("Tax-Exempt Bonds"), commercial loans or funds otherwise available to the Institution; and

WHEREAS: In order to provide maximum flexibility and most efficient borrowing cost the Board wishes to authorize financing the Project through HEFT (the "Proposed Programs"), issuance of Tax-Exempt Bonds, commercial loans and funds otherwise available to the Institution or any combination thereof (the "Financing Structure"); and

WHEREAS: The Board wishes to approve the form of the Application to be submitted to the Secretary of Higher Education (the "Secretary") for the Proposed Programs for the Project, and to designate and authorize officers of the institution to take necessary and desirable actions to undertake, implement and submit to the Secretary the Application for the Project; and

WHEREAS: The Board has previously approved a new Facilities Master Plan and authorizes and directs the officers designated in this resolution to include this plan in the Application (s) approved herein; and

WHEREAS: The Board desires to authorize certain officers of the Institution to determine the Financing Structure which is most economically advantageous to the Institution provided the Financing Structure includes utilization of the Proposed Programs, and take all action necessary or beneficial to accomplish the financing of the Project including the financing of capitalized interest, if any, and other costs of issuing any debt including, Tax-Exempt Bonds or other financings ("Financing Costs"); and

WHEREAS: The Board reasonably expects to reimburse expenditures for costs of the Project paid prior to issuance of Tax-Exempt Bonds or any debt bearing interest which *is* exempt from gross income for federal income tax purposes which will fund an applicable Project and/or Program;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF RARITAN VALLEY COMMUNITY COLLEGE AS FOLLOWS:

SECTION 1. The Board approves the Project and authorizes the undertaking, implementation, and financing of the Project in a maximum aggregate amount not to exceed \$16,000,000.00 (including Financing Costs).

SECTION 2. The Board approves the financing of all or any portion of the Project through the HEFT. The Board approves the Application for funding of the Project through such Program[s] in the form submitted to the Board and authorizes and directs the herein defined Designated Officers to submit such Application to the Secretary with such changes, modifications and additions as are approved by the Designated Officers and such changes, modifications and additions shall be conclusively evidenced by the submission of the Application to the Secretary. The Board expressly directs and authorizes the Designated Officers to submit the Facilities Master Plan for any Program for which it is required. The Board acknowledges and agrees that approval of the Application and receipt of funds pursuant to the Program(s) will obligate the Institution to: (a) provide funds for the operation and maintenance of the Project, (b) contribute to the cost of the Project; (c) pay all or a portion of debt service on Tax-Exempt Bonds

issued to fund the Proposed Program(s) as applicable; and (d) fulfill other conditions imposed under the Program(s) and hereby directs and authorizes the Designated Officers to certify such acknowledgement and agreement as part of the submitted Application. The Designated Officers are hereby authorized and directed to fulfill all conditions of the Proposed Program(s) including without limitation providing for the operation and maintenance of the Project and using available funds of the Institution to pay for such operation and maintenance and to satisfy conditions of the Proposed Program(s) to contribute to the cost of Projects and/or debt service on Tax-Exempt Bonds issued to fund the Proposed Program(s) from available funds of the Institution.

SECTION 3. The Board further authorizes the financing of all or any portion of the Project with Tax-Exempt Bonds, commercial loans and other funds available to the Institution and through the Financing Structure determined to be most economically advantageous to the Institution by John Trojan, Vice President of Finance and Facilities, and Michael McDonough, President (the "Designated Officers"). The Designated Officers are expressly authorized and directed to determine such Financing Structure provided that the Financing Structure includes utilization of Programs which are approved by the Secretary for financing the Project.

SECTION 4. The Board Chairperson, the Board Secretary, the Executive Assistant to the Board, the President and Vice President of Administration and Finance (each an "Authorized Officer") are each hereby authorized and directed to approve, execute and deliver any and all agreements necessary to undertake, implement and finance the Project and any and all other financing documents and instruments in the form approved by the Authorized Officers executing the same in the name of and on behalf of Raritan Valley Community College, in as many counterparts as may be necessary, and to affix or impress the official seal of the Institution thereon and to attest the same and such execution and attestation will be conclusive evidence of the approval of the form and content of such agreements and other documents and instruments necessary to undertake, implement and finance the Project and to pay Financing Costs including through the financing thereof. The Authorized Officers are further authorized and directed to do and perform such other acts and to take such other actions as may be necessary or required, or which may be deemed to be appropriate to implement the purposes of this resolution to undertake, implement and finance the Project and Financing Costs and the payment and/or repayment thereof.

SECTION 5. This Resolution is a declaration of the official intent of the Institution that the Institution reasonably expects and intends to reimburse expenditures for costs of the Project[s] paid prior to issuance Tax-Exempt Bonds or other tax-exempt debt issued to fund the Projects/Programs ["Applicable Tax-Exempt Debt"] in accordance with Treasury Regulation Section 1.150-2 and that the maximum principal amount of the Applicable Tax-Exempt Debt expected to be issued to finance costs of the Project including amounts to be used to reimburse expenditures for such costs paid prior to the issuance of the such Applicable Tax-Exempt Debt is \$16,000,000.00.

SECTION 6. All resolutions, orders and other actions of the Board of the Institution in conflict with the provisions of this resolution to the extent of such conflict are hereby superseded, repealed or revoked.

SECTION 7. This Resolution shall take effect immediately; and be it further

RESOLVED: That no further approvals by the Board are necessary to implement this Resolution.

Resolution #41-FY23 Apple MacBook Pro Laptops for the Information Systems and Technology Program

WHEREAS, the purchase of twenty-five (25) MacBook Pro laptop computers with 14-inch Liquid Retina displays and AppleCare+ extended four-year service agreements are required for the RVCC Information Systems and Technology Program for the purpose of accessing industry standard technologies; and

WHEREAS, three (3) quotes were obtained with Apple, Inc. presenting the College with the most favorable pricing; and

WHEREAS, P.L. 2011, c.139 permits all governmental agencies including County Colleges to utilize contracts awarded by consortiums, national or regional cooperatives, or other states which were competitively bid; and

WHEREAS, Board Resolution #107-2013, dated August 20, 2013, authorized the use of such cooperative contracts; and

WHEREAS, The Educational Services Commission of New Jersey (New Jersey State Approved Purchasing System #65MCESCCPS) has awarded a contract for Apple products to Apple, Inc. via Contract #ESCNJ 18/19-67; and

WHEREAS, the approved Fiscal Year 2023 Perkins Grant budget includes the purchase of the MacBook Pro laptop computers via Budget Line #510; and

WHEREAS, funding is available in the Fiscal Year 2023 Technology Services operating budget for the purchase of the AppleCare+ extended four-year service agreements; and

WHEREAS, a purchase order will be issued as follows:

Apple, Inc. 12545 Riata Vista Circle Austin, TX 78727 <u>Amount:</u> \$87,950.00

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Director of Purchasing to issue a purchase order as described hereinabove to the Apple, Inc.

Michael DePinto
Director of Purchasing

Resolution #42-FY23 Data Backup and Recovery System

WHEREAS, Raritan Valley Community College depends on a reliable and secure data backup and recovery system for academic and administrative work, and

WHEREAS, the volume and use of the College data and information systems have increased significantly over the past two years requiring an appropriate data backup system to provide a dependable, safe backup and recovery mechanism for critical RVCC data and systems; and

WHEREAS, this equipment must be fully compatible with the existing campus data network equipment and software; and

WHEREAS, the Executive Director for Technology Services evaluated the following three (3) backup and recovery systems: Commvault Metallic VM, Cohesity DataProtect and Dell APEX Backup Services; and

WHEREAS, quotes were obtained for both the Commvault Metallic VM and the Cohesity DataProtect systems; and

WHEREAS, after an extensive review, it was determined that the Commvault Metallic VM system was the most capable and cost-effective solution to meet the needs of the College; and

WHEREAS, P.L. 2011, c.139 permits all governmental agencies including County Colleges to utilize contracts awarded by national or regional cooperatives or other states which were competitively bid; and

WHEREAS, Board Resolution #107-2013, dated August 20, 2013, authorized the use of such cooperative contracts; and

WHEREAS, the licensing and subscription of Commvault systems is available through the NJEDge.net technology purchasing consortium, administered by Software House International (SHI) via Contract #269EMCPS-21-001-EM-SHI; and

WHEREAS, NJEDge.net is a non-profit technology consortium of academic and research institutions in New Jersey, of which RVCC is a member; and

WHEREAS, a three (3) year commitment with annual payments for the estimated period of November 1, 2022 through October 31, 2025, will guarantee fixed pricing over the life of the contract period; and

WHEREAS, purchase orders will be issued as follows:

Software House International (SHI) 290 Davidson Avenue Somerset, NJ 08873 <u>Year 1 Amount:</u> \$16,563.22 <u>Year 2 Amount:</u> \$16,563.22 <u>Year 3 Amount:</u> \$16,563.22 <u>Total Three-Year Amount:</u> \$49,689.66

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Director of Purchasing to enter into an agreement and issue purchase orders as described hereinabove to Software House International (SHI) for the estimated period of November 1, 2022 through October 31, 2025.

Michael DePinto
Director of Purchasing

Resolution #45-FY23 Replacement Personal Computers for RVCC Faculty Members

WHEREAS, the purchase of new personal computers is needed for nineteen (19) RVCC faculty members to replace older machines whose warranties have expired; and

WHEREAS, the curricula in many academic departments rely on up-to-date, flexible and reliable computer equipment; and

WHEREAS, the appropriate equipment is required to provide instructors with access to software used for instruction, research and the campus data network; and

WHEREAS, the equipment must be fully compatible with the existing campus computer equipment; and

WHEREAS, proposals will be obtained from vendors who are associated with National, State, County or Regional purchasing cooperatives or consortiums, which are competitively bid and exempt from the public bid process; and

WHEREAS, funding for this purchase is available through the 2023 Minor Capital Technology funds; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the College administration to proceed with the purchase of nineteen (19) personal computers for a total amount not to exceed \$36,000.00, and report the pertinent information at the December 2022 Board Meeting.

Michael DePinto
Director of Purchasing

Resolution #46-FY23 Acceptance of Title II Funds for Integrated English Literacy and Civics Education Grant

WHEREAS, Raritan Valley Community College is committed to providing quality basic skills and occupational programs and ensuring access to these programs for all students; and

WHEREAS, the purpose of the Adult Education and Family Literacy Act (AEFLA) is to create a partnership among the Federal Government, States, and localities to provide, on a voluntary basis, adult education and literacy activities, in order to—

- (a) Assist adults to become literate and obtain the knowledge and skills necessary for employment and economic self-sufficiency;
- (b) Assist adults who are parents or family members to obtain the education and skills that—
 - (1) Are necessary to becoming full partners in the educational development of their children; and
 - (2) Lead to sustainable improvements in the economic opportunities for their family;
- (c) Assist adults in attaining a secondary school diploma or its recognized equivalent and in the transition to postsecondary education and training, through career pathways; and
- (d) Assist immigrants and other individuals who are English language learners in—

- (1) Improving their—
 - (i) Reading, writing, speaking, and comprehension skills in English; and
 - (ii) Mathematics skills; and
- (2) Acquiring an understanding of the American system of Government, individual freedom, and the responsibilities of citizenship; and

WHEREAS, the purpose of this funding opportunity is to assist local program providers to develop educational programs and services for adult learners who:

- (a) have attained 16 years of age, are not enrolled or required to be enrolled in secondary school under state law; and
- (b) are basic skills deficient, do not possess a secondary school diploma or its recognized equivalent, and have not achieved an equivalent level of education; or are an English language learner; and

WHEREAS, the Raritan Valley Community College Board of Trustees hereby certifies that permission has been granted to apply for the Consolidated Adult Basic Skills and Integrated English Literacy and Civics Education discretionary grant program for the purposes described in the application, in the amount of \$181,910, starting on July 1, 2022 and ending on June 30, 2023; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College approves the acceptance of Title II funds and further authorizes Dr. Michael McDonough President of the College, to approve the Title II Funds for the Integrated English Literacy and Civics Education Grant, including all general assurances, and certifications and any amendments thereto.

Resolution #47-FY23 Cosmetology Student Kits for the Bound Brook High School Program

WHEREAS, Raritan Valley Community College is currently in the process of developing bid specifications for the purchase of approximately sixty-two (62) custom kits needed to ensure that Cosmetology, Esthetics and Bound Brook High School students are provided with the necessary tools to complete the Makeup Designory Program (MUD) certification requirements; and

WHEREAS, the estimated sixty-two (62) will be broken up amongst the various programs as follows:

- Twelve (12) Beauty Essentials kits, including airbrush, bridal and beauty essentials, are needed for the Bound Brook High School Program.
- Twenty (20) Beauty Essentials kits are needed for the current Fall 2022 Cosmetology classes.
- Eighteen (18) Beauty Essentials kits are needed for the current Fall 2022 Esthetics courses.
- An estimated twelve (12) Beauty Essentials kits will be needed for the Spring 2023 Esthetics courses; and

WHEREAS, Bound Brook will reimburse the College for the kits specifically purchased for the Bound Brook High School students; and

WHEREAS, all products and supplies contained in the student kits must be MUD certified in order to properly complete the courses and meet the certification requirements; and

WHEREAS, in order to guarantee that these kits are received in time, the College administration would like to award this bid prior to the next regularly scheduled meeting of the Board of Trustees on Tuesday, December 13, 2022; and

WHEREAS, the Cosmetology program estimates that the total amount of the student kit purchases will not exceed \$60,000.00; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the College administration to make this award and report the pertinent information at the December 2022 Board Meeting.

Michael DePinto
Director of Purchasing

Resolution #48-FY23 Automotive Technology Equipment and Supplies 2022-2023 – Pay to Play
WHEREAS, the Automotive Technology program requires the purchase of the appropriate equipment and supplies needed to ensure that students are provided with the tools necessary to properly navigate the curriculum; and

WHEREAS, RVCC has issued \$18,481.60 in cumulative purchase order amounts to date with Eppy's Tool and Equipment Warehouse, Inc. during Fiscal Year 2023; and

WHEREAS, the Director of Purchasing has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and

WHEREAS, such award of contract shall be made in compliance with New Jersey's Pay to Play Law as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the following company has completed and submitted a Business Entity Disclosure Certification for the period of July 1, 2022 through June 30, 2023, which certifies that there have been no reportable contributions to a political party, candidate committee or individual candidate in Hunterdon or Somerset Counties in the previous one-year, and will not make any reportable contributions over the next one-year:

Eppy's Tool and Equipment Warehouse, Inc. 809 East 42 nd Street Brooklyn, NY 11210 <u>Amount</u> : Not to Exceed \$37,000.00
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NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College authorizes the Director of Purchasing to issue purchase orders as described hereinabove; and

BE IT FURTHER RESOLVED, that the Determination of Value Certification be placed on file with this Resolution.

Michael DePinto
Director of Purchasing

B. Educational Programs and Services Committee

Trustee James Von Schilling presented Consent Agenda Resolutions #49-FY23 and #50-FY23. The above stated resolutions were moved by Trustee Von Schilling, seconded by Trustee Sullivan, and approved unanimously by voice vote.

Resolution #49-FY23 Human Resources Action Report

Human Resources Action Report for October 25, 2022

1. New Hire- Administrator

The following individuals are recommended for the indicated Administrator position at the salary specified:

Name	Title	Salary	Department	Start date
*Torina Armstrong	Manager, Articulation & Adult Learning	\$75,582	Academic Affairs	9/21/2022
**Michelle Cappiello	Learning Specialist/IDD Program Manager	\$55,096	Ctr. For Accessibility & Inclusive Ed	10/17/2022
***Seema Goel	Head Teacher	\$52,427	Children's Campus	10/17/2022

*Board approved previously September 2022/Start Date Changed

** Budget Code 378-6000-5010-80/New Grant Funded

***Budget Code 630-8300-5010-90/replacing W. Rizzolo

2. Status Change- Administrator

The following individual is recommended for the indicated Administrator position at salary specified:

Name	Title	Salary	Department	Effective date
*Crystalyn Suarez	Transfer Coordinator	\$69,911	Advising, Counseling & Transfer Services	10/17/2022

*Budget code 100-3520-5010-50/replacing P. Michaud

3. New Hire- Support Staff

The following individuals are recommended for the indicated Support Staff position at salary specified:

Name	Title	Salary	Department	Effective date
*Shannia Carroll	Human Resources Specialist	\$46,900	Human Resources	10/3/2022
**Steven Kislán	Testing Specialist	\$45,474	Testing Center	10/17/2022
***Dorothy (Julie) Land	Admin Assist II- Academic Support	\$47,200	Dean, Div. of Academic Support & Edu Partnership	10/3/2022

*Budget code 100-2100-5310-60/replacing A. Sclafani

**Budget code 100-3590-5310-50/replacing M. Alvarez

***Budget code 100-3013-5310-40/replacing A. Osaki

4. Resignation

The following reflect employees who have and intend to resign from the college.

Name	Title	Department	Effective Date
Nicolette Colon	Assistant Director, CAIE	Center for Accessibility & Inclusive Education	10/14/2022
Brett Coup	Director of Online Learning & Distance Education	Academic Affairs	10/31/2022
Jamal Kassim	Transfer Articulation & Graduation Associate	Enrollment Services	10/14/2022

5. Retirement

The following reflect an employee who intend to retire from the college.

Name	Title	Department	Effective Date
Kathleen Petrillo	Senior Enrollment Services Specialist	Enrollment Services	3/30/2023

Resolution #50-FY23 Legacy Sabbatical Program for Full-Time Tenured Faculty

WHEREAS, Raritan Valley Community College recognizes the need to improve its institutional flexibility in managing and staffing academic programs as the national higher education sector is undergoing significant structural and demographic changes; and

WHEREAS, College management has proposed a Legacy Sabbatical Program (LSP) for senior tenured faculty members who meet certain eligibility criteria and apply for participation on or before November 28, 2022 for Spring 2023; and

WHEREAS, the eligible participants would receive a half-year sabbatical for the Spring 2023 term paid at the rate of half their base annual salary, and relinquish their tenure as of June 30, 2023; and

WHEREAS, the president reserves the right to recommend accepting participants based on college and department instructional needs, subject to approval by the Board of Trustees; and

WHEREAS, upon recommendations by management, the Board of Trustees reserves the right to consider offering the LSP in subsequent years;

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Raritan Valley Community College approves the creation of the Legacy Sabbatical Program for full-time tenured faculty.

The Committee was updated on the Legacy Sabbatical Program offered by the College. In addition, the Committee received a presentation from Greg DeSanctis, Director of Honors College & Alumni Outreach presented on the history, statistical data, requirements and future of the Honors College.

C. Governance, Policy, and President Evaluation Committee

Trustee Paul Hirsch reported that the Campus Safety Report for the period September 13, 2022 to October 18, 2022 was discussed by the Committee and was provided to the full Board of Trustees via SharePoint.

The Committee discussed the Board's self-evaluation results, which were positive and insightful. The members agreed that the suggestions made by trustees provided an excellent framework for collaborative governance, for improving internal processes, for enriching discussions concerning important issues, and for reinforcing best practices related to effective Board governance. The Committee will meet with the full Board of Trustees in Executive Session to review the results.

It was unanimously agreed that the educational retreat was informative and well-received by all the trustees. The retreat focused on trusteeship and best practices related to board governance and on the fiduciary responsibilities of trustees, offering both a definition and a clear summary of practice. The presentation addressed how the duty of care, the duty of loyalty, and the duty of obedience shape trusteeship and board governance. An annual retreat on trusteeship and fiduciary responsibility will be built into the educational retreat schedule. Hard copies of the presentation will be made available to trustees at the Reorganization meeting scheduled for December 13, 2022.

A review the Board's current Code of Ethics policy is underway. The Governance Committee will review the edits at their next meeting and a resolution with a recommended revised policy will be presented to the Board at a future meeting.

Chair Bateman, Trustee Hirsch, and President McDonough hosted the first quarterly meeting with the Hunterdon and Somerset County Commissioners on September 30, 2022. RVCC's current operations, short-term and long-term strategies, private-public partnership opportunities, and the development of the FY24 budget were reviewed. The President noted that our improved process with the Commissioners reflects the Board's insistence on a transparent and collaborative process that balances the complexities of the institutional budget with the need to be clear and transparent. The next quarterly meeting will be scheduled in January 2023.

The President also provided the Committee with an update about the College's FY23 budget performance and planning for FY24 budget and beyond.

The Governance Committee will present a slate of officers at the Board's Reorganization meeting. Additional nominations from the Board may also be presented at that time.

The Committee discussed future retreat topics and it was agreed that the January Retreat would focus on budget planning for FY24. A Strategic Plan/metrics update and a discussion on student housing will be held at the March educational retreat. If necessary, an additional retreat to discuss student housing will be scheduled to provide sufficient time for discussion.

The Educational Retreat topics and schedule are as follows:

- *January 2023 – Budget
- *March 2023 – Strategic Plan Update and Metrics and Discussion on Student Housing
- *June 2023 – Year End Review
- *October 2023 – Workshop on Trusteeship

V. Old/New Business

There was no old/new business at the time.

VI. Public Questions/Comments

Chair Bateman read the following statement into record:

“The Board will take any comments from the public at this time. The Board will not respond to comments made and speakers are limited to two minutes.”

Professor Emeritus Dan Aronson addressed the Board concerning a memo he prepared to reduce consumption costs.

An adjunct faculty member Val Sivilli spoke about her individual pedagogical teaching approach and on adjunct negotiations.

Faculty Federation President Pattiann Kletz commented that she looks forward to working with the Board on a collaborative approach to negotiations that is best for all constituencies.

VIII. Executive Session

An announcement was then made to enter into Executive Session. Chair Bateman read into record the following statement – “In accordance with the provision of the Open Public Meetings Act of the State of New Jersey, I hereby entertain a motion to close the public meeting for the purpose of the Annual Board of Trustees Self-Evaluation. The Public Meeting will be reopened and then immediately adjourned. No action will be taken during Executive Session.” A motion to enter into Executive Session was made by Trustee Hirsch, and seconded by Trustee Swanicke, and approved by voice vote. The Board entered into Executive Session at 5:40 p.m. No formal action was taken during Executive Session.

The Public Session of the Regular meeting reopened at 6:05 p.m.

IX. Adjournment

There being no further business to bring before the Board, the Regular Meeting adjourned at 6:05 p.m.

Respectfully submitted,
Sheri Lang Pontarollo
Manager, Executive Office and
Secretary to the RVCC Board of
Trustees