

**New Jersey City University
Board of Trustees – Special Meeting
September 1, 2022**

Public Session

ATTENDING:

Mr. Joseph Scott, Chair
Mr. Luke Visconti, Vice Chair (Zoom)
Dr. Steven Chang (Zoom)
Mr. Edward Fowlkes
Mr. James Jacobson (Zoom)
Mr. Carlos Lejnieks (Zoom)
Rafael Perez (Zoom)
Dr. Irene Trowell-Harris (Zoom)
Dr. Edward Whittaker (Zoom)
Acebo .

a motion for the board to move into executive session prior to the public session in order to discuss personnel matters and contractual matters. The minutes of the executive session will be made public when there is no longer a need for confidentiality regarding these matters. The motion was carried by Mr. Scott and seconded by Mr.

NOTICE OF MEETING

Mr. Acebo noted that the time, date, location and agenda for College and Universities on August 25, 2022, the New Jersey meeting was also posted on the University's email system and website.

REQUEST TO SPEAK

The following individual requested to speak at the public session of the board and were called forward by Mr. Acebo:

AFT Local President Barbara Hildner addressed the Board noting the impact of the financial crisis on the NJCU community. AFT Local President Barbara Hildner addressed the Board noting the cooperative relationship

between the Union, the Administration, and the Board, and welcoming to foster additional opportunities for the Board to get together with Faculty and Staff in the future.

CHAIR'S REPORT

Mr. Scott thanked the members of the Board for their support of the University mission.

PRESIDENT'S REPORT

Acting President Kroll thanked the Board of Trustees for their support and guidance through the financial challenges and expressed his support on leading the institution .

EXECUTIVE COMMITTEE

Mr. Acebo put forward the request to approve the Resolution for Professional Services in Appointing a Commercial Real Estate Firm. The motion was moved by Mr. Fowlkes and seconded by Mr. Scott. (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Mr. Perez, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- None). The motion passed.

NEW JERSEY CITY UNIVERSITY

RESOLUTION FOR PROFESSIONAL SERVICES

WHEREAS: Pursuant to the New Jersey State Contracts Law (N.J.S.A. 18A:64-52 et seq.) New Jersey City University must advertise for bids on all contracts for goods and services which exceed \$100,000 except under circumstances specified in the statute where bids may be waived; and

WHEREAS: The subject matter consists of professional services that may be waived under the New Jersey State College Contracts Law, N.J.S.A. 18A:64-56a.1; and

WHEREAS: The Board of Trustees charged New Jersey City University with making a recommendation regarding the retention of a corporate real estate services firm to represent the University; and

WHEREAS: New Jersey City University issued a Request for Information (RFI) by Procurement Services and received two (2) proposals; and

WHEREAS: The University evaluated both proposals and recommends the CBRE proposal to the Board, and requests authorization to enter into a real estate professional services agreement with CBRE; be it therefore

RESOLVED: That the Board of Trustees of New Jersey City University on this 1st day of September, 2022 does hereby authorize the Universit



Executive Vice President and University Counsel

September 1, 2022

Mr. Acebo put forward the request to approve the Resolution Appointing Special Counsel Lowenstein Sandler LLP for Legal Services. The motion was moved by Mr. Scott and seconded by Mr. Fowlkes (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Lejnieks, Mr. Perez, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- None). The motion passed.

**NEW JERSEY CITY UNIVERSITY
RESOLUTION FOR THE WAIVER OF ADVERTISING OF LEGAL SERVICES**

WHEREAS: Pursuant to the State College Contracts Law (N.J.S.A. 18A:64-52 et seq.) State colleges and universities are required to advertise for bids on contracts for goods and services which exceed the bid threshold amount of \$35,000 except under circumstances specified in the statute where bids may be waived by the governing board of the State institution; and

WHEREAS: The subject matter consists of professional legal services that may be waived under the State College Contracts Law, N.J.S.A. 18a:64-56a:1; and

WHEREAS: New Jersey City University seeks authorization to enter into a legal services agreement with the firm of Lowenstein Sandler LLP, an agreement which exceeds the bid threshold without bid; and

WHEREAS: The University has determined that specialized professional legal services are necessary in furtherance of the University's continued cooperation with a confidential investigation being conducted by a third-party government entity and that the firm's experience and expertise is necessary and appropriate to assist University Counsel in the provision of general advice, guidance, and due diligence with respect to this cooperation, and that the time frame and demands of the confidential investigation require immediate and continuing access to the firm's expertise and experience; and

WHEREAS: Lowenstein Sandler LLP is providing necessary services on behalf of the University in collaboration with University Counsel and under the supervision of same, and such services will need to continue during this fiscal year; and

WHEREAS: The University is requesting waiver of bid advertisement for engagement of professional legal services and authorization to make payment for services rendered to the University subject to the approval of the Executive Vice President and University Counsel to ensure that the University fully complies with its legal obligations; be it therefore

RESOLVED: That the Board of Trustees of New Jersey City University on this 1st day of September, 2022 does hereby authorize the University to enter a professional legal services agreement with Lowenstein Sandler LLP, and authorizes the University to make payments for services rendered subject to the review of the Executive Vice President and University Counsel.

Executive Vice President and University Counsel

September 1, 2022

Mr. Acebo put forward the request to approve the Resolution Ratifying Memorandum of Understanding with Jersey City Medical Center for Health Center. The motion was moved by Mr. Fowlkes and seconded by Mr. Scott (Yes-Mr. Scott, Mr. Chang, Mr. Fowlkes, Mr. Jacobson, Mr. Perez, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abs1 (h)2 (i)8 (sk)4 (,)dn d (. T)2 (n)-(c 0 Tw 2.3oo)-10 (V)2 (i)7 (r)3 (i)-2 (s)-1 (, M)-1 (r)3 (.)-

approves the Memorandum of Understanding between the University and JCMC for the provision of medical services to University students and faculty, with the terms set forth in the document attached herein.

Executive Vice President and University Counsel

September 1, 2022

Mr. Acebo put forward the request to approve the Resolution Authorizing Higher Education Facilities Trust (HEFT) Grant Submission. The motion was moved by Mr. Jacobson and seconded by Mr. Scott (Yes-Mr.

floors of the Guarini Library for a student success and faculty excellence project
via a one-

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 Programs to contribute to the cost of the Project.

SECTION 3. The Board Chair, the Board Secretary, the acting President, and the interim Chief Financial Officer (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 the Board/Institution, 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. The Authorized Officers are further authorized and directed to do and perform such other acts and to take such actions as may be necessary or required or deemed appropriate to implement the purposes of this Resolution to undertake, implement and finance the Project.

SECTION 4. 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 5. This Resolution shall take effect immediately; and be it further.

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



Executive Vice President and University Counsel

September 1, 2022

OLD BUSINESS

Nothing to report

NEW BUSINESS

Nothing to report

NEXT MEETING

The next Board meeting will be held on Monday, September 12, 2022. Mr. Acebo requested a motion for the