

**New Jersey City University
Special Board of Trustees Meeting
January 10, 2018**

ATTENDING: Mr. Rafael Perez
Ms. Marilyn Bennett, *via teleconference*
Mr. Edward Fowlkes, *via teleconference*
Mr. Carlos Rendo, *via teleconference*
Mr. Owen Ryan, *via teleconference*
Mr. Joseph Scott
Dr. Edward Whittaker, *via teleconference*
Dr. Sue Henderson, *ex officio*

ABSENT: Dr. Steven Chang
Dr. Henry Coleman
Mr. James Jacobson
Mr. Vij Pawar

The meeting was called to order at 5:04 p.m. in the Gothic Lounge, Hepburn Hall, Room 202 by Mr. Perez.

NOTICE OF MEETING

Mr. Perez noted that the time, date, location and agenda for this meeting was mailed to the Jersey Journal, The Star Ledger, Office of the Secretary of State, Senate Majority Office, Council of NJ State College Locals and the NJ Association of State Colleges and Universities on January 8, 2018. Notice of this meeting was also posted on the University's e-mail system and website.

CHAIR'S REPORT

Mr. Perez made a motion for the board to move into executive session to address matters subject to the attorney client privilege and contractual matters involving real estate which may be adversely affected if discussed in public pursuant to N.J.S.A. 10:4-12 b (5) and (7). The minutes of the executive session will become available to the public when there is no longer a need for confidentiality regarding these matters. The motion was seconded by Mr. Fowlkes. (Yes-Ms. Bennett, Mr. Rendo, Mr. Ryan, Mr. Scott, Dr. Whittaker; No-None; Abstention-None).

ADJOURNMENT

Mr. Perez made a motion to adjourn the meeting to convene in executive session. The motion was seconded by Mr. Scott. (Yes-Ms. Bennett, Mr. Fowlkes, Mr. Rendo, Mr. Ryan, Dr. Whittaker; No-None; Abstention-None). The meeting adjourned at 5:06 p.m.

CHAIR'S REPORT

Mr. Perez reconvened the Public Session at 5:15 p.m.

PRESIDENT'S REPORT

President Henderson gave a report on recent university matters.

AGENDA

Mr. Perez gave the report on behalf of the Executive Committee, he made a motion for the authorization concerning lease of real property at Fort Monmouth. The motion was seconded by Mr. Scott. (Yes-Ms. Bennett, Mr. Fowlkes, Mr. Rendo, Mr. Ryan, Dr. Whittaker; No-None; Abstention-None).

RESOLUTION

AUTHORIZATION CONCERNING LEASE OF REAL PROPERTY AT FORT MONMOUTH

- WHEREAS:** The State colleges and universities are empowered to own or lease property, real, personal, or mixed, or any interest, therein, which is necessary or desirable for institutional purposes, N.J.S.A. 18A:64-6; and
- WHEREAS:** The Board of Trustees of New Jersey City University (“Board”), in addition to the other powers and duties provided by law, has and may exercise the powers, rights and privileges that are incident to the proper government, conduct, and management of New Jersey City University (“University”), and the control of its properties and funds and such powers granted to the University or the Board or reasonably implied, may be exercised without recourse or reference to any department or agency of the State, except as otherwise provided by applicable law, N.J.S.A. 18A:64-7; and
- WHEREAS:** The University offers higher education programs in Nursing, Business Administration, Securities Studies, and Fire Science at its Wall Township, Monmouth County, New Jersey location in facilities owned by Brookdale Community College (“College”); and
- WHEREAS:** Continuation and growth of these and other University programs to serve the Monmouth County region will require suitable classroom, office, and support services space; and
- WHEREAS:** The Administration has found that the provision, operation, and expansion of University programs in the Monmouth County region is necessary and appropriate and in the interests of the University in service of its mission; and
- WHEREAS:** The Administration has identified a facility at Fort Monmouth, Oceanport, New Jersey (“Fort Monmouth”) which is a suitable a location for the provision, operation, and expansion of University programs in the region; and
- WHEREAS:** A KKF University, LLC, intends to purchase and develop certain real property at Fort Monmouth and is willing to work with the University to address its site needs and lease property to the University for its use; and
- WHEREAS:** The Administration has made presentations to and had consultation with the Board on September 11, 2017 concerning a proposal to expand University programs in Monmouth County at the Fort Monmouth site and on December 11, 2017 concerning additional matters pertaining to the proposal including financial analysis per that consultation with the Board, the Administration has engaged in the development and negotiation of terms and a draft long term lease; and

- WHEREAS:** The Administration has provided to the Board terms and a draft long term lease agreement and consulted with the Board on January 10, 2018; and
- WHEREAS:** The Administration has notified the Board that the negotiations concerning a long term lease agreement are nearing completion and that a final lease agreement substantially in the form of the draft lease agreement is expected to be completed in the near future subject to a final review and approval by the Administration;
- WHEREAS:** The Administration requests authorization to finalize and execute a lease agreement with KKF University, LLC in substantially the form of the draft lease agreement: now be it
- RESOLVED:** That the Board of Trustees of New Jersey City University on January 10, 2018 hereby authorizes the President and such other officers and representatives of the University as she may designate to continue the review and negotiation of the draft lease agreement to a conclusion in the interests of the University; be it further
- RESOLVED:** That the President or, if designated by the President, the Vice President for Administration-Chief Operating Officer may provide final approval and execute a lease on behalf of the Board and the University in substantially the form of the draft lease subject to review and approval as to form by University Counsel.

ADJOURNMENT

There being no further business for closed session, Mr. Perez made a motion to adjourn the meeting. The motion was seconded by Mr. Scott. (Yes-Ms. Bennett, Mr. Rendo, Mr. Ryan, Mr. Scott, Dr. Whittaker; No-None; Abstention-None). The meeting concluded at 5:18 p.m.

Respectfully submitted,

Virginia Meléndez
Secretary to the Board of Trustees