

**New Jersey City University
Board of Trustees
September 13, 2021**

Public Session

ATTENDING:

Mr. Rafael Perez
Mr. Joseph Scott
Dr. Steven Chang
Ms. Brianna Esteves, *student trustee non-voting*
Mr. Thyquel Halley, *student trustee voting*
Mr. Carlos Lejnieks
Dr. Irene Trowell-Harris
Mr. Luke Visconti
Dr. Edward Whittaker
Dr. Sue Henderson, *ex officio*
Mr. Andrés Acebo, Interim Chief of Staff and Secretary to the Board of Trustees

ABSENT:

Mr. Edward Fowlkes (had technical difficulty with Webinar, he was dialed in and unable to vote)
Mr. James Jacobson

Mr. Acebo welcomed the 2021-2022 new student trustee non-voting, Ms. Brianna Esteves, and returning student trustee voting Thyquel Halley. Mr. Perez welcomed both students.

The meeting was called to order at 5:35 PM via ZOOM by Mr. Acebo.

NOTICE OF MEETING

Mr. Acebo noted that the time, date, location and agenda for this meeting were mailed to the Jersey Journal, the Star-Ledger, Office of the Secretary of State, Senate Majority Office, Council of New Jersey State College Locals and the New Jersey Association of State Colleges and Universities on September 8, 2021. Notice of this meeting was also posted on the University's email system and website.

BOARD REORGANIZATION PURSUANT TO BYLAWS

Mr. Lejnieks, Chair of the Nomination and Governance Committee reported the slate of the University submitting Mr. Joe Scott, as Board Chairman and Mr. Luke Visconti as Vice Chair of the New Jersey City University Board of Trustees for ratification of the full Board. Mr. Lejnieks thanked Mr. Perez for his significant years of service to NJCU and the Jersey City Community and his stewardship to the Board. Mr. Lejnieks made a motion to move forward with the slate for ratification and seconded by Mr. Perez. (Yes – Mr. Perez, Dr. Chang, Mr. Halley, Mr. Lejnieks, Mr. Scott, Dr. Trowell-Harris, Mr. Visconti; Dr. Whittaker; No – None; Abstention – None). The motion passed.

Mr. Scott read a Proclamation of Gratitude for Mr. Perez distinguished service and leadership as the Chairman of the Board of Trustees at New Jersey City University for decades.

MINUTES

Mr. Scott requested a motion to approve the Minutes from the June 28, 2021 Board Meeting and the August 3, 2021 Special Board Meeting. The motion was moved by Mr. Visconti and seconded by Dr. Whittaker. (Yes- Mr. Scott, Dr. Chang, Mr. Halley, Mr. Lejnieks, Mr. Perez, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- None). The motion passed.

CHAIR'S REPORT

Mr. Scott thanked Mr. Perez for his contribution as Chairman of the Board for so many years, very appreciative of his leadership and the amount of time spent as Chair. Mr. Perez responded, it has been a pleasure and honor to have served as Chair and happy Mr. Scott is taking over as Chair. Mr. Scott believes it is important as an organization that we all set standards for student success and make this our number one priority, for students to graduate in a timely manner and receive the best education possible.

PRESIDENT'S REPORT

Dr. Henderson thanked Mr. Perez for his steady leadership and expertise that has helped in moving the institution forward. Dr. Henderson shared the athletic teams competing this fall are currently undefeated; there are over 400 athletes this year. Dr. Henderson thanked Mr. Visconti for his willingness to help build a leadership program that begins with the athletics program and will help all of the campus. Convocation is scheduled for September 15, the keynote address will be delivered by Dr. Anthony Jack, Assistant Professor of Education at the Harvard Graduate School of Education and author of *The Privileged Poor*. The University has brought on six new faculty members from prestigious institutions. We are focusing on our enrollment and a solid student experience. NJCU was ranked by Forbes as one of the top Universities in the State of New Jersey. The Guarini institute will be hosting a virtual presentation focusing on economic mobility. Chairman Scott requested a copy of the Forbes article be distributed to the Board of Trustees. Dr. Henderson introduced Dr. Michael Edmondson, Director, NJCU at Ft. Monmouth & Dean, College of Professional Studies, who provided an overview of the facility in Oceanport, where 2+2 programs and Master Programs are being offered. Ft. Monmouth allows NJCU to be more competitive by increasing our community college partnerships, expanding opportunities to reach new markets and underserved populations and provide state-of-the-art learning facilities.

EXECUTIVE COMMITTEE

Mr. Scott reported the Executive Committee amended the Public Agenda, for Public Action on the Board Waiver for retroactive payment for professional legal services and authorization for request for proposal. Mr. Visconti made a motion to approve the Board Waiver Resolution and seconded by Mr. Lejnieks. (Yes-Mr. Scott, Dr. Chang, Mr. Halley, Mr. Lejnieks, Mr. Perez, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- None). The motion passed.

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

- WHEREAS: Pursuant to the State College Contracts Law (NJSA 18A: 64-52 et seq.) State colleges and universities are to advertise for bids on contracts for goods and services which exceed the bid threshold amount of \$35,500 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, NJSA 18A:64-56a.1; and
- WHEREAS: The University seeks authorization to enter a legal services agreement with the firm of Phillips, Dunn, Shriver & Carroll, P.C. 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 international branch campus initiative in Egypt and the firm's experience and expertise is appropriate and necessary to assist University Counsel in the provision of general advice, guidance and due diligence with respect to this initiative and that the time frame for the initiative requires immediate and continuing access to the firm's expertise and experience; and
- WHEREAS: The firm is providing services on behalf of the University under the supervision of University Counsel 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 payments for services rendered to the University subject to the approval of University Counsel and the Chief Operating Officer to ensure continuity and timeliness for this initiative; be it therefore
- RESOLVED: That the Board of Trustees of New Jersey City University on this 13th day of September, 2021 does hereby authorize the University to enter a professional legal services agreement with Phillips, Dunn, Shriver & Carroll, P.C. and ratify and make payments for services rendered subject to the review and approval of the University Counsel and the Chief Operating Officer.

FINANCE AND AUDIT COMMITTEE

1. FY 2022 Budget Presentation

Chief Financial Officer James White provided an overview of the FY 2022 Budget with a comparison from Fiscal 2020 and 2021. Mr. White explored the utilization of federal COVID-19 emergency appropriations and the University's net financial position improvements.

UNIVERSITY MISSION COMMITTEE

Interim Vice President for Enrollment Management Ben Rohdin provided an overview on University enrollment, market trends, and incoming student profile gains.

NOMINATION AND GOVERNANCE COMMITTEE

Mr. Al Ramey, University Counsel shared the Resolution of the Board of Trustees of New Jersey City University Concerning the Authority and Responsibilities of the President as the Chief Executive Officer of New Jersey City University. Mr. Lejniaks made a motion to accept the Resolution as presented, the motion was seconded by Mr. Perez. (Yes-Mr. Scott, Dr. Chang, Mr. Halley, Mr. Lejniaks, Mr. Perez, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- None). The motion passed.

RESOLUTION OF THE BOARD OF TRUSTEES OF NEW JERSEY CITY UNIVERSITY CONCERNING THE AUTHORITY AND RESPONSIBILITIES OF THE PRESIDENT AS THE CHIEF EXECUTIVE OFFICER OF NEW JERSEY CITY UNIVERSITY

- WHEREAS:** The Board of Trustees of New Jersey City University (Board) has general supervision of the University and has established in its by-laws that the President of the University is the chief executive officer of the University; and
- WHEREAS:** The President in accord with law is a member of the Board, without vote, and is responsible to the Board for the proper administration and operation of the University; and
- WHEREAS:** The President in accord with law has all powers requisite for the executive management and conduct of the University; and
- WHEREAS:** The Board finds it appropriate and consistent with the general supervision of the University to further establish the authority, powers, and responsibilities of the President as the chief executive officer of the University; now be it
- RESOLVED:** **SECTION 1.** Reporting to the Board of Trustees, the President is the chief executive officer of the University and is empowered, authorized, and responsible for the administration of the University's regulatory framework as approved by the Board of Trustees, including but not limited to, the by-laws, policies, orders, directives, and rules and regulations of the Board of Trustees and is, further, empowered, authorized, and responsible for the provision of general educational leadership and promotion of educational effectiveness of the institution, the maintenance of appropriate administrative records, the establishment of academic/administrative regulations, policies, and procedures, including but not limited to: the organizational structure of the University; personnel appointments, reappointments, tenure, and promotions; salary schedules; the University's budget; the planning, development, and management of facilities of the University; the educational programs, academic policies, and research of the University; granting of degrees; and community service.
- SECTION 2.** The President is further empowered, authorized, and responsible for preparing and submitting such reports as the Board of Trustees, the Presidents' Council, or the Secretary of Higher Education may request, and for providing official publications, such as student and faculty handbooks, a catalog, and other related documents or publications, to interested persons at intervals sufficient to ensure appropriately current information. The President is authorized to take any steps necessary to ensure the proper operation of the University consistent with its mission and in compliance with all applicable federal and state laws.
- SECTION 3.** The President shall provide for policy and procedure for the execution, implementation, management, operation, or administration of the matters subject to this resolution in accord with University Policy 01-05-07 and applicable statutory and regulatory authority.

SECTION 4. The President may make such reports to the Board or any of its committees concerning matters that are subject to this resolution as the President may deem necessary or appropriate from time to time.

SECTION 5. The President shall make such reports to the Board or any of its committees concerning matters that are subject to this resolution as either may request from time to time.

V. OLD BUSINESS

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 in reading the Resolution of the Board of Trustees of New Jersey City University Concerning the Authority and Responsibilities of the President as the Chief Executive Officer of New Jersey City University, Professor Hildner was impressed by its scope. An academic structure is organized to be collaborative to bring different bodies together that support one another and the academic enterprise. The University Senate has a wide range of responsibilities as does the Curriculum and Instruction Committee that makes recommendations to the Senate, for the establishment reduction of departments, programs and majors. The Union helps to establish an appropriate context for the University, protecting academic freedom, and fights for non-discriminatory policies. The Board of Trustees has responsibilities for thinking of the future of the university and protecting the finances. Professor Hildner proposed members of the University to have lunch with members of the Board of Trustees to understand more about the responsibilities of the Board of Trustees. The rpk report will provide opportunities for change, all of us working collaboratively can produce the college we want and need for NJCU to be.

NEXT MEETING

The next Board meeting will be held on February 22, 2022. Mr. Whittaker made a motion for the board to move into executive session prior to the public session in order to discuss confidential personnel matters and contractual matters. The motion was seconded by Mr. Visconti (Yes-Mr. Scott, Dr. Chang, Mr. Halley, Mr. Lejnieks, Mr. Perez, Dr. Trowell-Harris, Mr. Visconti, Dr. Whittaker; No-None; Abstention- None). The motion passed. The minutes of the executive session will become available to the public when there is no longer a need for confidentiality regarding these matters.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 6:45 P.M.

Respectfully submitted,

Andrés Acebo
Interim Chief of Staff and
Secretary to the Board of Trustees