

**The College of New Jersey
Board of Trustees**

**Thursday, December 6, 2001
201 Loser Hall/202 W Student Center
Minutes of Public Board Meeting**

Present: Mr. Walter Chambers, Chair; Mr. Bruce Hasbrouck, Vice Chair; Mrs. Patricia Rado, Secretary; Mr. Tom Bracken; Mr. Robert Gladstone; Ms. Stacy Holland; Mr. Robert Kaye; Mr. James McAndrew; Ms. Barbara Pelson; Mr. Jeffrey Perlman; Mr. Harry Reichard; Dr. R. Barbara Gitenstein, President; Ms. Rebecca Ostrov, Student Trustee; Mr. Rohit Thawani, Alternate Student Trustee; Dr. John Karsnitz, Faculty Representative to the Board, Dr. Beth Paul, Faculty Representative to the Board

Not Present: Mr. John Beake; Ms. Hazel Gluck; Mr. Jose Sosa

The meeting was called to order at 3:00pm.

I. Announcement of Compliance

Mr. Chambers announced that the requirements of the Open Public Meetings Act concerning public notice of this meeting had been met.

II. Motion to go into closed session

It was moved by Mrs. Rado, seconded by Mr. Bracken, that the Board go into closed session to discuss personnel actions and all pending litigation, items exempt under the Open Public Meetings Act.

III. Closed Session

IV. Resumption of Public Session/Pledge of Allegiance

V. Approval of the Minutes of the October 4, 2001 Meeting

It is moved by Mr. Bracken, seconded by Ms. Holland, that the minutes be approved.

VI. Report of the President

Dr. Gitenstein made her report.

VII. Report of the Board Officers

No report was made.

VIII. Report of the Sesquicentennial Committee

Mr. Gladstone reported for the committee.

X. Report of the Trustee member of the TSC Corporation

Mr. McAndrew made his report.

XI. Report of the Trustee member of the TCNJ Foundation

Mr. Gladstone made his report.

XII. Report of the Trustee Liaison to the New Jersey Association of State Colleges and Universities

Mr. Chambers made his report.

XIII. New Business

A. Report of the Executive Committee

Mr. Hasbrouck reported for the committee.

1. Resolution Modifying the Position Classification Plan For Non-Unit Employees - Attachment A

It was moved by Ms. Holland, seconded by Mr. Gladstone, that the resolution be approved. The motion carried unanimously.

2. Personnel Actions

a. Reappointments - Faculty - Attachment B

It was moved by Mrs. Pelson, seconded by Ms. Holland, that the resolution be approved. The motion carried unanimously.

b. Change of Status, New Appointments, Temporary Appointments, Resignations - Staff - Attachment C

It was moved by Mr. Gladstone, seconded by Mr. McAndrew, that the resolution be approved. The motion carried unanimously.

3. Resolution on Wesley Mostello v. The College of New Jersey, OAL Docket No. HBC 4960-00 - Attachment D

It was moved by Mr. McAndrew, seconded by Mrs. Pelson, that the resolution be approved. The motion carried unanimously.

4. Resolution Approving Tuition, Fees, Room and Board Waiver for

Current Students Affected by the Events of September 11, 2001 -
Attachment E

It was moved by Ms. Ostrov, seconded by Ms. Holland, that the resolution be approved. The motion carried unanimously.

B. Report of the Academic Affairs Committee

Mrs. Pelson reported for the committee.

C. Report of the Finance & Construction Committee

Mr. Perlman reported for the committee.

1. Resolution Concerning the Submission of the Fiscal Year 2003
Budget Request - Attachment F

It was moved by Mrs. Rado, seconded by Ms. Holland, that the resolution be approved. The motion carried unanimously.

2. Resolution of The Board of Trustees of The College of New Jersey approving the financing of various capital projects as approved by the Conceptual Campus Facilities Master Plan; Approving the form of and authorizing the execution and delivery of the Lease Agreement and all other necessary documents; and authorizing Officers of The College of New Jersey to do all other things deemed necessary or desirable in connection with the issuance by The New Jersey Educational Facilities Authority of its revenue bonds, The College of New Jersey Issue, and the loan of the proceeds thereof to The College of New Jersey - Attachment G

It was moved by Mr. Hasbrouck, seconded by Mrs. Rado, that the resolution be approved. The motion carried unanimously.

3. Resolution of the Board of Trustees of The College Of New Jersey approving the Forward Delivery Refunding of all or a portion of Revenue Bonds Series 1992 E; Approving the form of and authorizing the execution and delivery of the Lease Agreement and all other necessary documents; and authorizing Officers of The College of New Jersey to do all other things deemed necessary or desirable in connection with the issuance by The New Jersey Educational Facilities Authority of its revenue bonds, The College of New Jersey Issue, and the loan of the proceeds thereof to The College of New Jersey - Attachment H

It was moved by Mr. McAndrew, seconded by Mrs. Rado, that the resolution be approved. The motion carried unanimously.

4. Resolution of The College of New Jersey Board of Trustees Approving the Acquisition and Financing of Higher Education Equipment Through the Higher Education Equipment Leasing Fund Act and Authorizing the Execution and Delivery of the Necessary Legal Documents In Connection Therewith - Attachment I

It was moved by Mrs. Rado, seconded by Mr. Hasbrouck, that the resolution be approved. The motion carried unanimously.

5. Resolution of The College of New Jersey Board of Trustees Approving Application for Funding and a Grant Agreement with the New Jersey Educational Facilities Authority for a Higher Education Capital Improvement Fund Grant - Attachment J

It was moved by Mrs. Rado, seconded by Mr. Hasbrouck that the following Whereas' be added to the resolution as an amendment to Attachment J:

Whereas: The College of New Jersey Board of Trustees at its meeting on June 21, 2001 approved the College's Conceptual Campus Facilities Master Plan; and

Whereas: The Plan included the construction of a new library and indicated that a portion of its total cost would be funded by the Higher Education Capital Improvement Fund.

The motion passed unanimously.

It was moved by Mr. McAndrew, seconded by Mr. Reichard, that the resolution be approved. The motion carried unanimously.

6. Bid Waivers for College Business Purposes:

- Professional and Other Services - Attachment K

It was moved by Mr. Hasbrouck, seconded by Ms. Holland, that the resolution be approved. The motion carried unanimously.

- Computing and Technical - Attachment L

It was moved by Ms. Ostrov, seconded by Mrs. Rado, that the resolution be approved. The motion carried unanimously.

- Printing and Publications - Attachment M

It was moved by Ms. Holland, seconded by Mr. McAndrew, that the resolution be approved. The motion carried unanimously.

- Construction Contracting Purposes - [Attachment N](#)

It was moved by Mr. Perlman, seconded by Mr. McAndrew, that the resolution be approved. The motion carried unanimously.

D. Report of the College Relations Committee

Mr. Gladstone reported for the committee.

XIV. Presentation on Institutional Change - President Barbara Gitenstein

XV. Adjournment

It was moved by Mr. Hasbrouck, seconded by Ms. Holland, that the resolution be approved. The motion carried unanimously.

Be It

Resolved: That the next public meeting of The College of New Jersey Board of Trustees will be held on Thursday, March 7, 2002 at a time and location to be announced.

Be It

Further

Resolved: That this meeting be adjourned.

The meeting was adjourned at 4:50pm.

Respectfully submitted,

Patricia Rado
Secretary

Resolution Modifying the Position Classification Plan For Non-Unit Employees

Whereas: N.J.S. 18A:64-6, as amended by the Higher Education Restructuring Acts of 1994, invests The College's Board of Trustees with the responsibility and authority to administer the compensation of non-unit employees; and,

Whereas: The College of New Jersey Board of Trustees adopted a Position Classification Plan for Non-Unit Employees, effective July 1, 1995, and modifications to the plan on June 22, 2000 and, December 7, 2000; and

Whereas: The Board of Trustees recognizes The College's need for continued flexibility in future staffing and administrative assignments.

Therefore,
Be It

Resolved: That The College's Position Classification Plan be modified, effective October 1, 2001, as attached, to include the following administrative titles:

Title	Range
Treasurer 1	M39
Treasurer 2	M38
Associate Treasurer 1	M35
Associate Treasurer 2	M34
Assistant Treasurer 1	M32
Assistant Treasurer 2	M30
Director X	X
Capital Planning Executive	X
Executive Assistant 7	N20

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**The College of New Jersey
Position Classification Plan**

TITLE	RANGE
Provost	X
Vice President X	X
Vice President 1	M 40
Vice President 2	M 39
Vice President 3	M 38
Capital Planning Executive	X
Treasurer 1	M39
Treasurer 2	M38
Associate Treasurer 1	M35
Associate Treasurer 2	M34
Assistant Treasurer 1	M32
Assistant Treasurer 2	M30
Vice Provost 1	M 37
Vice Provost 2	M 36
Associate Provost 1	M 36
Associate Provost 2	M 35
Associate Provost 3	M 34
Assistant Provost 1	M 33
Assistant Provost 2	M 32
Dean X	X
Dean 1	M 36
Dean 2	M 35
Dean 3	M 34
Dean 4	M 33
Associate Dean 1	M 34
Associate Dean 2	M 33
Associate Dean 3	M 32
Assistant Dean 1	N 29
Assistant Dean 2	N 28
Assistant Dean 3	N 27

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Assistant Dean 4		N 26
Assistant Dean 5		N 25
Assistant Dean 6		N 24
Associate Vice President 1		M 36
Associate Vice President 2		M 35
Associate Vice President 3		M 34
Assistant Vice President 1		M 33
Assistant Vice President 2		M 32
Director X		X
Director 1		M 32
Director 2		M 30
Director 3		M 28
Director 4		M 26
Associate Director 1		N 29
Associate Director 2		N 27
Associate Director 3		N 25
Managing Assistant Director 1		N 26
Managing Assistant Director 2		N 24
Managing Assistant Director 3		N 22
Managing Assistant Director 4		N 20
Assistant Director 1	(12 months)	U 26
	(10 months)	U 23
Assistant Director 2	(12 months)	U 24
	(10 months)	U 21
Assistant Director 3	(12 months)	U 22
	(10 months)	U 19
Assistant Director 4	(12 months)	U 20
	(10 months)	U 17
Executive Assistant 1		N 32
Executive Assistant 2		N 30
Executive Assistant 3		N 28
Executive Assistant 4		N 26
Executive Assistant 5		N 24
Executive Assistant 6		N 22
Executive Assistant 7		N 20

Managing Administrative Assistant 1	N 24
Managing Administrative Assistant 2	N 22
Managing Administrative Assistant 3	N 20
Administrative Assistant 1 (12 months)	U 24
(10 months)	U 21
Administrative Assistant 2 (12 months)	U 22
(10 months)	U 19
Administrative Assistant 3 (12 months)	U 20
(10 months)	U 17
Professional Services Specialist 1 (12 months)	U 27
(10 months)	U 24
Professional Services Specialist 2 (12 months)	U 24
(10 months)	U 21
Professional Services Specialist 3 (12 months)	U 21
(10 months)	U 18
Professional Services Specialist 4 (12 months)	U 18
(10 months)	U 15
Program Assistant (12 months)	U 16
(10 months)	U 13

Reappointment - Faculty

To a Sixth Year 2002-2003

David Reimer

Assistant Professor

Mathematics and Statistics

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Change of Status - Staff

Lisa Angeloni	Admissions From: Director 2 To: Dean 3 Effective: November 1, 2001
Nicole Davis	Campus Planning and Construction From: Project Specialist (TSCC) To: Executive Assistant 6 Campus Planning and Construction Effective: October 29, 2001
Kristine D'Apolito	Campus Planning and Construction From: Project Specialist (Budget and Finance) To: Project Specialist (Capital Planning and Construction) Effective: October 29, 2001
Robert Drake	Administration and Organizational Development From: Associate Vice President 2 (Human Resources) To: Vice President 3 (Administration and Organizational Development) Effective: October 1, 2001
Judy Gomes	Office of the Treasurer From: Assistant Supervisor (Facilities Management & Planning) To: Executive Assistant 4 (Office of the Treasurer) Effective: October 25, 2001
Kathryn Leverton	Administrative and Environmental Services From: Director 1 To: Associate Vice President 3 Effective: November 1, 2001
Kevin Maldonado	Campus Life From: Program Assistant (temp) To: Professional Services Specialist 4 Effective: October 6, 2001
Peter Mills	Capital Planning From: VP for Administration and Finance To: Capital Planning Executive Effective: November 1, 2001

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Change of Status - Staff (continued)

Reginald Motley	ACE Grant From: Professional Services Specialist 3 (EOF) To: Managing Assistant Director 3 (ACE) Effective: October 6, 2001
Margaret Moyer	Graduate Studies From: Managing Assistant Director 2 (OAGSR) To: Managing Assistant Director 2 (Graduate Studies) Effective: January 1, 2002
Jeff Philburn	User Support Services From: Professional Services Specialist 2 To: Managing Assistant Director 2 Effective: October 27, 2001
Rhelda Richards	Capital Planning From: Executive Assistant 4 (Administration and Finance) To: Executive Assistant 3 (Capital Planning) Effective: November 1, 2001
Lloyd Ricketts	Budget and Finance From: Director 2 To: Associate Treasurer 2 Effective: October 1, 2001
Ronald Smalley	Information Technology From: Project Specialist To: Managing Assistant Director 3 Effective: October 1, 2001
Barbara Wineberg	Office of the Treasurer From: Associate Vice President 2 (Budget and Finance) To: Treasurer 2 Effective: October 1, 2001
Dawn Willan	Budget and Finance From: Director 3 To: Assistant Treasurer 2 Effective: October 1, 2001

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New Appointments - Staff

Nevolia Ogletree	Career Services Professional Services Specialist 4 Effective: November 11, 2001
Andrew Brunetto	Information Technology Professional Services Specialist 3 Effective: September 5, 2001
Robert Bartoletti	STEP Managing Assistant Director 2 Effective: November 1, 2001
Linda Jarvis	Student Financial Services Program Assistant Effective: October 6, 2001
Jacqueline McCabe	Student Financial Services Program Assistant Effective: October 22, 2001
David Tiffany	Development and Alumni Affairs Vice President 1 Effective: January 2, 2002
Brian Murray	Campus Planning and Construction Director X Effective: October 15, 2001
Lynda Kane	Campus Planning and Construction Project Specialist Effective: October 29, 2001
Mary Lou Armiger	High Tech Workforce Grant Project Specialist Effective: November 26, 2001
Aimee Rogers	Conference and Meeting Services Professional Services Specialist 4 Effective: September 20, 2001

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Temporary Appointments - Staff

Michele Kilcher-Reilly Budget and Finance
Project Specialist
Effective: October 1, 2001 - March 31, 2002

Mary-Fay Nagel Payroll
Project Specialist
Effective: October 1, 2001 - April 1, 2003

Resignations - Staff

Ayshe Ergin Institutional Research
Director 3
Effective: September 28, 2001

Shelley Krause Admissions
Associate Director 3
Effective: November 14, 2001

Suzi Nam Admissions
Professional Services Specialist 4
Effective: October 5, 2001

One-Year Reappointments (effective: July 1, 2002 - June 30, 2003) - Staff

Marilyn Apelian Library
Professional Services Specialist 3

Germaine Aviles Admissions
Program Assistant

Craig Blaha Information Technology
Professional Services Specialist 2

Shari Blumenthal Conference & Meeting Services
Professional Services Specialist 4

Cristin Campbell Admissions
Professional Services Specialist 4

Vilja Casey Academic Grants & Sponsored Research
Program Assistant

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One-Year Reappointments (effective: July 1, 2002-June 30, 2003) - Staff (continued)

John Coburn	Network & Technical Services Professional Services Specialist 1
Herve Damas	Physical Enhancement Center Professional Services Specialist 3
Denise Denson	User Support Services Professional Services Specialist 3
Scott Dicheck	Athletics Assistant Director 3
Tracey Duncan	Residence Life Program Assistant
Maura Garnich	Records & Registration Professional Services Specialist 4
Craig Kapp	User Support Services Assistant Director 3
Richard Kroth	Music Professional Services Specialist 3
Diana Lygas	Development & Alumni Affairs Professional Services Specialist 4
Anthony Marchetti	College Relations Program Assistant
Peter Miceli	Campus Life Professional Services Specialist 4 (Part Time)
Nikolaus Mische	International Studies Professional Services Specialist 3
Nairem Moran	College Relations Program Assistant
Lisa Myers	College Relations Assistant Director 3

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One-Year Reappointments (effective: July 1, 2002-June 30, 2003) - Staff (continued)

Genevieve Perkins	Student Life Professional Services Specialist 4
Colleen Perry	Career Services Assistant Director 3
Kay Potucek	Development & Alumni Affairs Professional Services Specialist 3
Kimberly Rafferzeder	Conference & Meeting Services Professional Services Specialist 4
Charlotte Regen	Career Services Program Assistant
Natalka Sawchuk	Library Professional Services Specialist 2
Myronee Simpson	Admissions Program Assistant
Bruce VanDusen	College Relations Professional Services Specialist 3
Matthew Winkel	Library Program Assistant (Part Time)
Diane Woodside	Development & Alumni Affairs Professional Services Specialist 2
Ann Yamiolkowski	Campus Wellness / Differing Abilities Professional Services Specialist 3
Patricia Yaple	Child Care Center Program Assistant (Part Time)
Jeddel Yeras	User Support Services Professional Services Specialist 3
Elizabeth Zawodniak	Student Life Program Assistant (Part Time)

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10 Month One-Year Reappointments – (effective: September 1, 2002 - June 30, 2003) – Staff

Diane Gruenberg	Academic Enhancement Assistant Director 2 – 10 months
Michelle McCroy	Residence Life Professional Services Specialist 4 – 10 months
Megan Menna	Athletics Professional Services Specialist 3 – 10 months
Matthew Middleton	Admissions Professional Services Specialist 4 – 10 months
Kyra O'Brien	Residence Life Professional Services Specialist 4 – 10 months
Rochelle Patterson	Admissions Professional Services Specialist 4 – 10 months
Sean Stallings	Residence Life Professional Services Specialist 4 – 10 months

Three -Year Reappointments (effective: July 1, 2002 - June 30, 2005) - Staff

Angela Domen	User Support Services Professional Services Specialist 3
Joseph Hadge	Alcohol & Drug Education Program Professional Services Specialist 3
Randolph Shipon	User Support Services Professional Services Specialist 3
Brad Stober	Network & Technical Services Professional Services Specialist 1
Andrew Stutzman	User Support Services Assistant Director 3

**Resolution on Wesley Mostello v. The College of New Jersey, OAL
Docket No. HBC 4960-00**

- Whereas: The Board of Trustees of The College of New Jersey ("Board") serves as the Agency Head in fulfilling its responsibility in a contested matter before the Office of Administrative Law ("OAL"), Wesley Mostello v. The College of New Jersey, and the matter was forwarded to the OAL for a hearing and Initial Decision, and
- Whereas: Following a hearing, the Honorable Steven C. Reback, ALJ, issued an Initial Decision which the Board received on August 19, 2001, and
- Whereas: Exceptions to the Initial Decision were filed, and
- Whereas: The Board has considered the Initial Decision, the Exceptions and the record in this contested matter.
- Therefore,
Be It
Resolved: That the Board of Trustees of The College of New Jersey accepts and adopts the Initial Decision issued in this matter, and
- Be It
Further
Resolved: That a written decision by the Board will be issued in the near future.

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**Resolution Approving Tuition, Fees, Room and Board Waiver for
Current Students Affected by the Events of September 11, 2001**

Whereas: The College of New Jersey was horrified by the tragedies that occurred at the World Trade Center, the Pentagon, and in a field in Somerset County Pennsylvania, and

Whereas: The College was directly affected by the loss of parents/guardians of current students, and

Whereas: The College of New Jersey Board of Trustees has a strong commitment to support these students and ensure that they have the opportunity to complete their education at The College, and

Whereas: The Board of Trustees under the authority of the autonomy legislation can waive or refund tuition, fees, and room and board expenses.

Therefore,
Be It

Resolved: That all College of New Jersey students who were matriculated at the College at the time of the attacks and lost a parent/guardian due to those attacks shall receive a waiver for tuition, fees, on campus room and board expenses through the completion of their current undergraduate degrees.

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**Resolution Concerning Submission of the
FY 2003 Budget Request
Totaling \$137,234,000**

Whereas: Under P.L. 1994, C.48, The College of New Jersey Board of Trustees has the power and duty to “Submit a request for state support to the Office of Management and Budget in the Department of Treasury and to the Commission in accordance with the provisions of the law;” and

Whereas: This budget request must be submitted in accordance with planning guidelines promulgated by the Office of Management and Budget; and

Whereas: The Treasurer has reviewed with the Finance and Construction Committee of The College of New Jersey Board of Trustees the FY 2003 operating budget request prepared in accordance with the FY 2003 Office of Management and Budget planning guidelines; and

Whereas: The Finance and Construction Committee of the Board has recommended its approval;

Therefore,
Be It

Resolved: That the Board of Trustees approves the FY 2003 operating budget request of \$137,234,000 of which \$46,058,000 would be state appropriations.

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Resolution of The Board of Trustees of The College of New Jersey approving the financing of various capital projects as approved by the Conceptual Campus Facilities Master Plan; Approving the form of and authorizing the execution and delivery of the Lease Agreement and all other necessary documents; and authorizing Officers of The College of New Jersey to do all other things deemed necessary or desirable in connection with the issuance by The New Jersey Educational Facilities Authority of its revenue bonds, The College of New Jersey Issue, and the loan of the proceeds thereof to The College of New Jersey

Whereas: the Board of Trustees (the "Board") of The College of New Jersey (the "Public College") desires to approve the construction of the New Library, Forcina Parking Deck, Pennington Road Apartments, Pennington Road Parking Deck, Travers/Wolfe Parking Deck, Play Fields Renovation and Expansion, Travers/Wolfe Renovation and Addition, Student Event Center, Brower Student Center Addition, Art Building, Campus Sitework, and Utilities Upgrades, (the "Project"), as presented and submitted in the Public College's Conceptual Campus Facilities Master Plan (the

Whereas: the Public College has determined that the Project will assist in serving the needs of its students and in the operation of the Public College; and

Whereas: the Board of the Public College desires to approve the financing in the amount necessary to finance the Project and costs of issuance (the "Project Costs") in an amount not to exceed \$147,000,000; and

Whereas: the Public College has further determined that the financing for the Project should be accomplished by the issuance of tax-exempt bonds of the New Jersey Educational Facilities Authority (the "Authority") secured by a lease agreement and desires to authorize the officers of the Public College to take all action necessary to accomplish the financing of the Project and all costs related thereto; and

Whereas: the Board wishes to authorize the conveyance of land upon which the Project is to be situated that is not already owned by the Authority; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE COLLEGE OF NEW JERSEY AS FOLLOWS:

SECTION 1. The Board hereby approves the Project as presented in the Master Plan and the financing of the Project Costs through the Authority in an amount not to exceed \$147,000,000.

- SECTION 2. The Board hereby approves its submission to the Legislature for approval of the non-revenue producing portion of the Project and the financing thereof pursuant to N.J.S.A. 18A:72A-27.3 and authorizes the Authorized Officers (as defined herein) to take all actions necessary to effect such submission.
- SECTION 3. In order to finance the cost of the Project, the Board hereby authorizes that the Public College is authorized to enter into a Lease and/or Amended Lease Agreement between the Authority and the Public College (the “Agreement”) and such Agreement shall secure repayment of the bonds to be issued by the Authority to finance the Project.
- SECTION 4. The Agreement, in substantially the form to be provided, with such changes, omissions, insertions and revisions as shall be approved by the Authority and the hereinafter-authorized officers of the Public College be and the same are hereby approved. The Chairperson, the Secretary of the Board, the President, the Capital Planning Executive and the Treasurer (hereinafter the “Authorized Officers”) are hereby authorized and directed to execute the Agreement in the name of and on behalf of the Public College, in as many counterparts as may be necessary, and to affix or impress the official seal of the Public College thereon and to attest the same. Such execution and attestation to be conclusive evidence of the approval of the form and content of such Agreements.
- SECTION 5. The Authorized Officers of the Public College, be and the same, are hereby authorized and directed to execute, deliver and approve any and all such other agreements, documents, certificates, directions and notices and to do and perform such acts and to take such actions as may be necessary or required or which the Authority may deem to be appropriate to implement the purposes of this resolution, to consummate the Project and the financing of the Project and all the costs related thereto by the Authority, and to effectuate the execution and delivery of the Agreement, a deed to the property on which the Project will be located, if applicable, and any other documentation necessary to effectuate the Project or the financing of the Project by the Authority. Any Authorized Officer of the Public College is hereby authorized and directed, for and on behalf of and in the name of the Public College to attest and deliver said documentation and to affix the seal of the Public College to said documentation. Such execution and attestation to be conclusive evidence of the approval of the form and content of such documentation.
- SECTION 6. The Board hereby approves the conveyance of land upon which the Project is to be situated that is not already owed by the Authority.
- SECTION 7. All resolutions, orders and other actions of the Public College in conflict with the provisions of this resolution to the extent of such conflict are hereby superseded, repealed or revoked.
- SECTION 8. This Resolution shall take effect immediately.

**Resolution of the Board of Trustees of The College Of New Jersey approving the Forward Delivery Refunding of all or a portion of Revenue Bonds Series 1992 E; Approving the form of and authorizing the execution and delivery of the Lease Agreement and all other necessary documents; and authorizing Officers of The College of New Jersey to do all other things deemed necessary or desirable in connection with the issuance by The New Jersey Educational Facilities Authority of its revenue bonds, The College of New Jersey Issue, and the loan of the proceeds thereof to
The College of New Jersey**

Whereas: the Board of Trustees (the "Board") of The College of New Jersey (the "Public College") desires to approve the issuance of bonds to undertake the forward delivery refunding of all or a portion of the Series 1992 E Bonds (the "Refunding Bonds"); and

Whereas: the Board of the Public College desires to approve the refinancing of all or a portion of "New Jersey Educational Facilities Authority Revenue Bonds, Trenton State College Issue, Series 1992 E" (the "Refunded Bonds") in an amount necessary to refinance the Refunded Bonds and pay the costs of issuing the Refunding Bonds (the "Project Costs") in an amount not to exceed \$58,000,000; and

Whereas: the Public College has determined that the Refunding Bonds will assist in serving the needs of its students and in the operation of the Public College; and

Whereas: the Public College has further determined that the refinancing of the Refunded Bonds should be accomplished by the issuance of tax-exempt bonds of the New Jersey Educational Facilities Authority (the "Authority") secured by a lease agreement and desires to authorize the officers of the Public College to take all action necessary to accomplish the refinancing of the Refunding Bonds and all costs related thereto; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE COLLEGE OF NEW JERSEY AS FOLLOWS:

SECTION 1. The Board hereby approves the Refunding Bonds and the financing of the Project Costs through the Authority in an amount not to exceed \$58,000,000.

SECTION 2. In order to finance the cost of the Refunding Bonds, the Board hereby authorizes that the Public College is authorized to enter into a Lease and/or Amended Lease Agreement between the Authority and the Public College (the "Agreement") and such Agreement shall secure repayment of the Refunding Bonds.

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- SECTION 3. The Agreement, in substantially the form to be provided, with such changes, omissions, insertions and revisions as shall be approved by the Authority and the hereinafter-authorized officers of the Public College be and the same are hereby approved. The Chairperson, the Secretary of the Board, the President, the Capital Planning Executive and the Treasurer (hereinafter the "Authorized Officers") are hereby authorized and directed to execute the Agreement in the name of and on behalf of the Public College, in as many counterparts as may be necessary, and to affix or impress the official seal of the Public College thereon and to attest the same. Such execution and attestation to be conclusive evidence of the approval of the form and content of such Agreements.
- SECTION 4. The Authorized Officers of the Public College, be and the same, are hereby authorized and directed to execute, deliver and approve any and all such other agreements, documents, certificates, directions and notices and to do and perform such acts and to take such actions as may be necessary or required or which the Authority may deem to be appropriate to implement the purposes of this resolution, to consummate the refinancing of the Refunded Bonds and the financing of the Refunding Bonds and all the costs related thereto by the Authority, and to effectuate the execution and delivery of the Agreement and any other documentation necessary to effectuate the Refunding Bonds or the refinancing of the Refunded Bonds by the Authority. Any Authorized Officer of the Public College is hereby authorized and directed, for and on behalf of and in the name of the Public College to attest and deliver said documentation and to affix the seal of the Public College to said documentation. Such execution and attestation to be conclusive evidence of the approval of the form and content of such documentation.
- SECTION 5. All resolutions, orders and other actions of the Public College in conflict with the provisions of this resolution to the extent of such conflict are hereby superseded, repealed or revoked.
- SECTION 6. This Resolution shall take effect immediately.

**Resolution of The College of New Jersey Board of Trustees Approving
the Acquisition and Financing of Higher
Education Equipment Through
the Higher Education Equipment Leasing Fund Act and
Authorizing the Execution and Delivery of the Necessary Legal
Documents In Connection Therewith**

- Whereas: The Higher Education Leasing Fund Act, N.J.S.A. 18A:72A-40-48, (the “Act”) establishes the Higher Education Equipment Leasing Fund (the “Fund”) in the New Jersey Educational Facilities Authority (the “Authority”) to provide a regular financing mechanism for the public and private institutions (the “Institution”) of higher education within the state for the acquisition of scientific, engineering, technical, computer, communication, and instructional equipment and related costs (the “higher
- Whereas: The Act requires that the New Jersey Commission on Higher Education (the “Commission”) adopt regulations to implement the Act, allocate monies deposited into the fund resulting from the issuance by the Authority of new bonds, and approve by resolution the purchase of higher education equipment by an Institution of higher education prior to the Institution’s entering into a lease agreement with the Authority; and
- Whereas: The Commission has determined that \$3,108,000.00 from the Fund will be allocated to The College of New Jersey for the purchase of higher education equipment; and
- Whereas: The Act further requires the Governing Board of each participating Institution of higher education (the “Board”) to adopt a resolution authorizing and approving the purchase of higher education equipment to be made through the Fund and authorizing and approving the application for funds to be submitted to the Commission for approval; and
- Whereas: The College of New Jersey re-evaluated its equipment needs and has determined that this additional higher education equipment to be purchased through the Fund conforms to The College of New Jersey current mission and strategic direction by supporting and enhancing science education and collaborative student/faculty research; and
- Whereas: Earlier, the Board of Trustees authorized an application for \$869,377.00, leaving a remainder of \$2,238,623.00 from the total allocation; and
- Whereas: The College of New Jersey has now prepared an application to expend the full \$3,108,000.00, and this revised application subsumes and supersedes the application approved by the Board of Trustees on October 4, 2001; and

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Whereas: The Act further requires the Board to authorize and commit to fund the Institution's twenty-five percent share of its allocated amount of the principal and interest on the bonds issued by the Authority; and

Whereas: The Act provides that the Authority and the Board of any participating Institution of higher education enter into a Lease Agreement to furnish funds for higher education equipment at the Institution, provided that the Institution agrees to pay twenty-five percent of the amount necessary to pay the principal and interest on the bonds issued to finance the purchase of higher education at the Institution;

Now, Therefore Be
It Resolved By the
Board of Trustees of The
College of New Jersey
As Follows:

Section 1: The Board hereby authorizes and approves the purchase of higher education equipment through the Fund and authorizes and approves the application for funds to be submitted to the Commission for approval.

Section 2: The Board authorizes equipment purchases of \$3,108,000 as submitted in its application to the Commission and agrees to fund 25 percent of The College of New Jersey's share of the principal and interest on the bonds.

Section 3: The Chair, Vice Chair, Secretary of the Board, and the President of The College of New Jersey, in the name of The College of New Jersey, are hereby authorized and directed to undertake any and all actions necessary for participation in the Higher Education Equipment Leasing Fund Program and to execute and deliver the Lease Agreement and all such other documents, instruments, and agreements as may be necessary, advisable, or appropriate to consummate the transaction approved by this resolution, and the taking of any such action and the execution and delivery of each document, instrument, or agreement shall be conclusive evidence of its necessity, advisability, or appropriateness.

Section 4: All resolutions, orders and other actions of The College of New Jersey Board of Trustees 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.

December 6, 2001

**Resolution of The College of New Jersey Board of Trustees Approving
Application for funding and a Grant Agreement with the New Jersey
Educational Facilities Authority for a Higher Education Capital
Improvement Fund Grant**

- Whereas: The New Jersey Educational Facilities Authority (the "Authority") as authorized by law, the Higher Education Capital Improvement Fund Act, at N.J.S.A. 18A: 72A-72 et seq. (the "Act"), has established the Higher Education Capital Improvement Fund (the "Fund") a fund within the Authority to provide grants to public and private institutions of higher education within the State ("Institutions") for capital improvements and related costs; and
- Whereas: The College of New Jersey has been awarded up to \$25,515,000 in grant funds; and
- Whereas: The Act requires the Board of Trustees of each participating institution of higher education to adopt a resolution authorizing the institution to apply for funds; and
- Whereas: Pursuant to the Act, it is necessary and desirable to enter into grant agreements by and between the Authority and the Institutions (the "Grant Agreement"); and
- Whereas: The Act provides that the Authority and the Board of Trustees of any participating Institution may enter into a Grant Agreement to furnish funds for capital improvements at the Institution, provided that the Institution agrees to pay an amount equal to one-third of the semi-annual debt service on moneys it receives from the Fund; and
- Whereas: The Act further requires that each participating Institution's Board of Trustees adopt a resolution applying for a grant, that each Institution seek the Commission on Higher Education's (the "Commission") approval of the capital improvements to be funded, and that within one year of the date when funds are made available, each Institution must enter into contracts for the approved capital improvements; and
- Whereas: After consultation with counsel, it is deemed advisable to approve the execution of the Grant Agreement, as attached hereto and made a part hereof as if fully set forth verbatim herein.
- Whereas: The College of New Jersey Board of Trustees at its meeting on June 21, 2001 approved the College's Conceptual Campus Facilities Master Plan; and

Whereas: The Plan included the construction of a new library and indicated that a portion of its total cost would be funded by the Higher Education Capital Improvement Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE COLLEGE OF NEW JERSEY AS FOLLOWS:

- Section 1. The Board of Trustees hereby authorizes and approves the application for funds under the Act.
- Section 2. The Board of Trustees hereby authorizes and approves the execution and delivery of the Grant Agreement with the New Jersey Educational Facilities Authority, as attached.
- Section 3. The Chair, the Secretary of the Board, the President, the Capital Planning Executive, or the Treasurer of The College of New Jersey, in the name of The College of New Jersey, are hereby authorized and directed to undertake any and all actions necessary for participation in the Higher Education Capital Improvement Fund Grant Program and to execute and deliver the Grant Agreement and all such other documents, instruments and agreements as may be necessary, advisable, or appropriate to consummate the transaction approved by this resolution, and the taking of any such action and the execution and delivery of each document, instrument, or agreement shall be conclusive evidence of its necessity, advisability, or appropriateness.
- Section 4. All resolutions, orders and other actions of the Board of Trustees 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.

December 6, 2001

The New Jersey Educational Facilities Authority
Higher Education Capital Improvement Fund

Grant Agreement

The College of New Jersey

THIS GRANT AGREEMENT, is executed by and between the New Jersey Educational Facilities Authority (the "Authority"), a public body corporate and politic of the State of New Jersey and The College of New Jersey (the "Institution"), an institution of higher education in the State of New Jersey (collectively, "the Parties"), pursuant to the provisions of the Higher Education Capital Improvement Fund Act, at N.J.S.A. 18A:72A-72 et. seq., (the "Act"), for the purpose of providing funds for capital improvements and related costs for the State's institutions of higher education.

TERMS AND CONDITIONS

1. The amount of the grant to the Institution is twenty five million, five hundred fifteen thousand dollars (\$25,515,000) (the "Grant Amount")
2. The Institution agrees to provide an amount equal to one-third of the annual debt service and related fees for the Institution's allocation of the Fund.
3. The Institution agrees to enter into contract(s) for its capital improvements within one (1) year of funds becoming available, unless extended by the Commission of Higher Education (the "Commission").
4. The Authority will provide the Grant Amount to the Institution on a reimbursement basis, as evidenced by a certification of an officer of the Institution to the Authority and to the Commission, and upon receipt of properly executed Payment Requisitions, which forms shall be provided by the Authority.
5. The Institution shall provide to the Authority and the State Cognizant Department copies of annual financial statements and auditors reports prepared in accordance with applicable State policy, as may be amended from time to time, including but not limited to the provisions of the State of New Jersey Department of Treasury Circular Letter- 98-07-OMB, Single Audit Policy For Recipients of Federal Grants, State Grants and State Aid. As a part of the Institution's annual audit, the Institution agrees to obtain from its independent auditor a statement that the Institution has correctly and properly used its Grant Amount for approved Capital Improvements and the statement shall list and explain any exceptions and costs which do not comply with this Grant Agreement. It is intended that the statements and auditor certifications required by current State policy

will provide for compliance with the requirements of this section, without the need for an additional report.

6. The Institution agrees to comply with the Act, all State and Federal laws, all rules and regulations, and any other requirements imposed by law, including but not limited to contracting for and procuring Capital Improvements.
7. If, after proper notice, the Institution has failed to comply with any of the terms of this Grant Agreement or if there are disallowed costs, the State Treasurer is authorized to retain and intercept, out of any State aid or an appropriation payable to the Institution, an amount sufficient to satisfy any default or failure of the Institution, including return of the grant amount to the Authority.
8. The Authority has adopted the attached resolution agreeing to provide the Institution with the Grant Amount pursuant to the Act and the Commission's regulations and approving the entry and execution of this Grant Agreement.

IN WITNESS WHEREOF, the Parties by their duly authorized representatives, each acting in their official capacities, have caused this Grant Agreement to be executed and delivered as of _____, 2001.

THE COLLEGE OF NEW JERSEY

By: _____

Name: _____

Title: _____

NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY

By: _____

Name: _____

Title: _____

**RESOLUTION APPROVING WAIVERS
OF ADVERTISING
FOR COLLEGE BUSINESS PURPOSES
(Professional and Other Services)**

WHEREAS: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$18,600, and

WHEREAS: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

WHEREAS: Waiver requests have been reviewed and are recommended by the Finance and Construction Committee, a subcommittee of The College of New Jersey Board of Trustees,

NOW, THEREFORE,
BE IT RESOLVED: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
The Lavin Agency, Inc. \$20,000.00	Keynote speaker for the Writers' Conference "Margaret Atwood"	Self Funded Revenue Account and Grant
Penn State University \$53,616.00	Collaborator on the National Science Foundation Grant	Grant
International School Services \$47,320.00	Textbooks for overseas students	Self Funded Revenue Account
Bellver International College \$22,440.00	Rental of instructional facilities for the summer program in Mallorca, Spain	Self Funded Revenue Account
Holiday Home Services \$36,225.00	Faculty/staff housing in Mallorca, Spain during the on-site summer program	Self Funded Revenue Account

December 6, 2001

Attachment K
(2 of 2)

Empress Travel \$35,590.00	Airfare, accommodations and ground transportation for the summer Business Program in Europe	Self Funded Revenue Account
Balado Travel \$25,520.00	Airfare, ground transportation and tour excursions for the summer program in Madrid	Self Funded Revenue Account
KPMG LLP \$80,000.00	External auditing services	College Operating with Charge-Back to Functional Units

December 6, 2001

**RESOLUTION APPROVING WAIVERS
OF ADVERTISING
FOR COLLEGE BUSINESS PURPOSES
(Computing and Technical)**

WHEREAS: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$18,600, and

WHEREAS: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

WHEREAS: Waiver requests have been reviewed and are recommended by the Finance and Construction Committee, a subcommittee of The College of New Jersey Board of Trustees,

NOW, THEREFORE,
BE IT RESOLVED: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
Varian \$20,000.00	Probe for the Chemistry Department's nuclear magnetic resonance spectrometer	College Operating
Varian \$62,535.00	Spectrophotometers for the Biology Department	Higher Education Equipment Leasing Fund
Cannon Business Solutions \$235,872.00	Purchase digital copier equipment and office business solutions	College Operating
Virtual Media \$25,250.00	The Avid Xpress Video Editing System for the Communications Studies Department	College Operating

December 6, 2001

**RESOLUTION APPROVING WAIVERS
OF ADVERTISING
FOR COLLEGE BUSINESS PURPOSES
(Printing and Publications)**

WHEREAS: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$18,600, and

WHEREAS: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

WHEREAS: Waiver requests have been reviewed and are recommended by the Finance and Construction Committee, a subcommittee of The College of New Jersey Board of Trustees,

NOW, THEREFORE,
BE IT RESOLVED: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
Mind Over Media \$35,000.00	Design and development of the TCNJ Admissions Web Site	College Operating

December 6, 2001

**RESOLUTION APPROVING WAIVERS
OF ADVERTISING
FOR CONSTRUCTION CONTRACTING
PURPOSES**

WHEREAS: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$18,600, and

WHEREAS: The Law provides that such waivers shall be approved by The College of New Jersey Board of Trustees, and

WHEREAS: Waiver requests have been reviewed and are recommended by the Finance and Construction Committee, a subcommittee of The College of New Jersey Board of Trustees,

NOW,
THEREFORE,
BE IT RESOLVED: The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

VENDOR	PURPOSE	FUNDING SOURCE
Tompkins, McGuire, Wachenfeld and Barry \$35,000.00	Additional legal services for the Science Complex Project	1996A EFA Bond Issue
Honeywell, Inc. \$34,400.00	Building management and equipment control system for the Butterfly Lab and third floor classroom projects in the Biology Building	College Operating
Cambridge Construction Management	Construction management services for the Butterfly Laboratory and third floor classroom projects	College Operating

December 6, 2001

\$38,190.00	in the Biology Building	
Commercial Graphics	Printing of the Science Complex documents	1996A EFA Bond Issue with 50% to be Reimbursed per Takeover Agreement
\$37,500.00		