

**The College of New Jersey  
Board of Trustees  
August 30, 2022**

**Minutes of the Public Meeting  
8:30 am**

**Via Zoom Webinar**

Present: Rebecca Ostrov, Chair; Carl Gibbs, Vice Chair; Eleanor Horne; Rosie Hymerling; Brian Markison; Allen Silk; Susanne Svizeny; Tammy Tibbetts; Kathryn Foster, President; Nigel Pacheco, Student Trustee; Noelle Halikman, Alternate Student Trustee; Desi Fioravanti, Staff Representative to the Board; Crystel Maldonado, Staff Representative to the Board; Cindy Curtis, Faculty Representative to the Board; Deborah Hutton, Faculty Representative to the Board; Heather Fehn, Secretary to the Board

Not Available: Maria Falca-Dodson; Treby Williams

I. Announcement of Compliance

- A. *It is hereby announced and recorded that the requirements of the Open Public Meetings Act as to proper notification as to time and place of meeting have been satisfied.*

II. New Business

- A. Resolution Approving Waivers of Advertising (College Business Purposes) – Attachment A

It was moved by Mr. Markison, seconded by Ms. Svizeny that the motion be approved. The motion was approved unanimously.

- B. Resolution Approving Waivers of Advertising (Facilities & Construction) – Attachment B

It was moved by Ms. Hymerling, seconded by Mr. Gibbs that the motion be approved. The motion was approved unanimously.

- C. Resolution of The College of New Jersey Board of Trustees Approving the Long-Range Facilities and Technology Plan – Attachment C

It was moved by Ms. Hymerling, seconded by Ms. Svizeny that the motion be approved. The motion was approved unanimously.

D. Resolution of The College of New Jersey Board of Trustees Approving and Authorizing the Undertaking, Implementation, Financing, Application Submission and Execution of a Project Through the Higher Education Capital Facilities Grant Programs – Attachment D

It was moved by Mr. Markison, seconded by Ms. Svizeny that the motion be approved. The motion was approved unanimously.

III. Adjournment

It was moved by Mr. Markison, seconded by Ms. Svizeny that the following motion be approved. The motion was approved unanimously.

Be It

Resolved: That the next public meeting of The College of New Jersey Board of Trustees will be held on Tuesday, October 18, 2022 at a time and location to be announced.

Be It

Further

Resolved: That this meeting be adjourned.

Respectfully Submitted,



Heather M. Fehn

Chief of Staff and Secretary of the Board of Trustees

**Resolution Approving Waivers  
Of Advertising  
For College Business Purposes**

**Whereas:** State College Contracts Law permits waivers of advertising for specified purchases in excess of \$100,000, 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 Business and Infrastructure Committee, a subcommittee of The College of New Jersey Board of Trustees.

**Therefore,  
Be It**

**Resolved:** The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein:

<b>VENDOR</b>	<b>PURPOSE</b>	<b>FUNDING SOURCE</b>
Virtual Care Group \$181,600	Mental Health Services	College Operating
Instructure \$826,200	Canvas Learning Management System	College Operating

**Resolution Approving Waivers  
Of Advertising  
Business and Infrastructure Committee  
(Facilities and Construction)**

**Whereas:** State College Contracts Law permits waivers of advertising for specified purchases in excess of \$34,400; 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 Business and Infrastructure Committee, a subcommittee of The College of New Jersey Board of Trustees.

**Therefore,  
Be It**

**Resolved:** The College of New Jersey Board of Trustees approves waivers to the following vendors for purposes as designated herein.

<b>VENDOR</b>	<b>PURPOSE</b>	<b>FUNDING SOURCE</b>
Blackney Hayes \$449,925	Athletics Facility Assessment, Tennis Court Renovations and Track Complex Renovations	Asset Renewal Reserves
Eznergy \$70,000	Amendment of 15-year Agreement	College Operating
TBD \$1,000,000	New Residence Hall Renovation	Asset Renewal Reserves

**Resolution of The College of New Jersey Board of Trustees  
Approving the Long Range Facilities and Technology Plan**

- Whereas: Pursuant to a resolution adopted at its public meeting on June 21, 2001, the Board of Trustees of The College of New Jersey (the "Board") approved the "Conceptual Campus Facilities Master Plan Framework for Fiscal Years 2002-2011" (the "2002-2011 Master Plan"); and
- Whereas: Pursuant to a resolution adopted at its public meeting on March 24, 2008, the Board approved an "Update to the Conceptual Campus Facilities Master Plan for the Fiscal Years 2007-2021" (the "2007-2021 Master Plan"); and
- Whereas: Pursuant to a resolution adopted at its public meeting on July 10, 2012, the Board approved an "Updated Institutional Strategic Plan"; and
- Whereas: In May, 2010, the College prepared and submitted a Long Range Facilities Plan to the Commission on Higher Education (the "Commission") in accordance with the Economic Development Stimulus Act of 2009 (the "Act"), which required senior public institutions of higher education to submit facilities master plans to the Commission for its review and recommendations; and
- Whereas: In June, 2010, the Commission notified the New Jersey Economic Development Authority that the College and the Commission had met the requirements of the Act; and
- Whereas: In February 2013, the College prepared an update to the Long Range Facilities Plan (the "Long Range Facilities and Technology Plan", which was based on the 2007-2021 Master Plan and was informed by and partially implements the Updated Institutional Strategic Plan; and
- Whereas: In August 2022, the College prepared an updated Long Range Facilities and Technology Plan to support the newly adopted Institutional Strategic Plan (May 2022) Transformation 2.0: Extending Our Excellence; and
- Whereas: The Long Range Facilities and Technology Plan 2022 is meant to be a guiding document for all campus infrastructure including the siting, planning and design of new buildings and significant renovation building projects using a planning process that involves appropriate professional firms and members of the campus community; provided, however, that the Long Range Facilities and Technology Plan does not obviate the need for compliance with applicable law and College policy, including, as applicable, Board approval of certain facilities and technology projects or financing or services relating thereto; and
- Whereas: In accordance with applicable law and College policy certain Projects will continue to be brought individually to the Board of Trustees for approval of the designer prior to the start of the Project; and
- Whereas: The Business and Infrastructure Committee of the Board of Trustees has reviewed the Long Range Facilities and Technology Plan and has recommended its approval to the Board of Trustees.
- Therefore,  
Be It  
Resolved: That the Board of Trustees hereby approves the Long Range Facilities and Technology Plan 2022.

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**RESOLUTION APPROVING AND AUTHORIZING THE UNDERTAKING AND IMPLEMENTATION OF A PROJECT CONSISTING OF “EDUCATING NEW JERSEY’S NEXT GENERATION HEALTH WORKFORCE” AND AUTHORIZING THE FINANCING OF ALL OR A PORTION OF THE PROJECT THROUGH PROGRAMS 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 PROGRAMS AS ARE APPLICABLE TO THE PROJECT WITH SUCH CHANGES AS ARE APPROVED BY THE DESIGNATED OFFICERS OF THE COLLEGE AND THE SUBMISSION OF THE APPLICATION TO THE SECRETARY OF HIGHER EDUCATION; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY AND ALL DOCUMENTS IN CONNECTION WITH UNDERTAKING, IMPLEMENTING AND FINANCING THE PROJECT IN THE FORM(S) APPROVED BY THE OFFICERS OF THE COLLEGE EXECUTING SUCH DOCUMENTS; AND DESIGNATING AND AUTHORIZING THE OFFICERS OF THE COLLEGE TO TAKE THE AFOREMENTIONED ACTIONS AND TO TAKE ANY AND ALL SUCH OTHER ACTIONS DEEMED NECESSARY OR DESIRABLE TO UNDERTAKE, IMPLEMENT AND FINANCE THE PROJECTS**

**WHEREAS:** The Board of Trustees (the “Board”) of The College of New Jersey (the “College”) desires to approve the undertaking, implementation and financing of a project (the “Project”) consisting of facilities renovation (Forcina Hall and Roscoe West), technology and network connectivity upgrades, and academic equipment acquisition, as described in the Project application, 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 \$39.85 million; 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. 18A:72A-59 et seq. (“HETI”); and the Higher Education Equipment Leasing Fund Act, N.J.S.A. 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 College and the State; and

- WHEREAS:** The Board desires to approve financing of all or portions of the Project through CIF, HEFT, HETI and ELF (the “Proposed Programs”); and
- WHEREAS:** Portions 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 College; and
- WHEREAS:** In order to provide maximum flexibility, the Board wishes to authorize financing the Project through the CIF, HEFT, HETI, and ELF Programs (the “Proposed Programs”), issuance of Tax-Exempt Bonds, commercial loans and funds otherwise available to the College 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 College to take necessary and desirable actions to undertake, implement and submit to the Secretary the Application for the Project; and
- WHEREAS:** The Board has approved the 2022 Long-Range Facilities and Technology Plan of the College in the form attached hereto as Exhibit A and authorizes and directs the officers designated in this resolution to include the 2022 Long-Range Facilities and Technology Plan in the Application (s) approved herein; and
- WHEREAS:** The Board desires to authorize certain officers of the College to determine the Financing Structure which is most economically advantageous to the College 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 financing (“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 THE COLLEGE OF NEW JERSEY 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 thirty-nine million eight hundred fifty thousand dollars (\$39,850,000) (including Financing Costs).

**SECTION 2.** The Board approves the financing of all or any portion of the Project through the CIF, HEFT, HETI and ELF Programs for which funding will be requested. The Board approves the Application for funding of the Project through such Programs 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 2022 Long-Range Facilities and Technology Plan in the Application 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 College 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 by the New Jersey Educational Facilities Authority to fund the Proposed Program(s) as applicable and required by certain Programs; 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 College 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 College.

**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 College and through the Financing Structure determined to be most economically advantageous to the College by the College President and the Treasurer (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 Secretary to the Board, the President, the Treasurer, and the Vice President for Operations (each a "Designated 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 Designated Officers executing the same in the name of and on behalf The College of New Jersey, in as many counterparts as may be necessary, and to

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affix or impress the official seal of the College 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 Designated 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 College that the College reasonably expects and intends to reimburse expenditures for costs of the Project 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 \$0 (including Financing Costs).

**SECTION 6.** All resolutions, orders and other actions of the Board of the College 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  
ADOPTED:**

**DULY  
CERTIFIED:**

**RESOLUTION  
ADOPTED:**

**DULY  
CERTIFIED:**

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Proposed Sources and Uses of Funds and Key Project Assumptions				
Application # 1 - Asset renewals consisting of facilities renovation (Forcina Hall and Roscoe West), technology and network connectivity upgrades, and academic equipment acquisition				
*Projected Cost of Project				
Asset Renewal Projects				\$39,844,060
Total Cost of Project				\$39,844,060
Proposed Funding Sources of Project				
OSHE Grant Programs	OSHE Project Request	TCNJ Project Funding	TCNJ Long-Term Commitment	
CIF - Capital Improvement Fund	\$19,510,000	\$2,600,000	33.3% of the debt service	
HEFT - Higher Education Facilities Trust	\$7,004,060	\$2,600,000	None	
HETI - Higher Education Technology Infrastructure	\$1,550,000	\$1,550,000	None	
ELF - Equipment Leasing Fund	\$5,030,000	\$0	25% of the debt service	
Subtotals	\$33,094,060	\$6,750,000	Total	\$39,844,060
Key Project Assumptions				
Total Project Funding from the State of New Jersey	\$33,094,060			
* TCNJ will be obligated to pay its portion of debt service - as indicated above.				

The funding request for these projects is consistent with TCNJ's Long-Range Facilities and Technology Plan and is the most cost effective option for these projects.