

MERCER COUNTY COMMUNITY COLLEGE  
Minutes of the 663<sup>rd</sup> Meeting  
of the Board of Trustees  
September 17, 2020

The public meeting was called to order by Chair Mark Matzen, at 6:33 p.m., via Zoom Conferencing. In addition to the Chair, the following members were in attendance: Blanca Berrios-Ohler, Winnifred Brown-Glaude, Angela Delli Santi, Kevin Drennan, Dave Fried, Yasmin Hernandez-Manno, Anthony Inverso, Walt MacDonald, Larry Nespoli and Jianping Wang, President. Also present was Perry Lattiboudere, College Counsel.

I. OPENING OF MEETING

A) FLAG SALUTE

Chair Matzen led those attending the meeting in the Pledge of Allegiance to the flag of the United States of America.

B) STATEMENT OF NOTIFICATION

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and to attend meetings of public bodies at which any business affecting its interests is discussed or acted upon. In accordance with the provisions of this Act, the Board of Trustees of Mercer County Community College has caused notice of this meeting to be published by having the date, time and place posted on the bulletin board in the lobby of the Administration Building, on the West Windsor Campus, at the James Kerney Campus, on the College's website homepage, and faxed to The Trentonian and The Times.

C) ADOPTION OF REVISED AGENDA

Mr. Drennan moved to approve the Revised Agenda, which was seconded by Ms. Delli Santi and adopted with Trustees Berrios-Ohler, Brown-Glaude, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye.

D) PUBLIC COMMENT

No one from the attending public addressed the Board at this time.

II. APPROVAL OF MINUTES OF THE JULY 16, 2020 BOARD MEETING

Mr. Drennan presented Agenda Item II (A), which was seconded by Dr. MacDonald. The item passed with Trustees Berrios-Ohler, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye. Trustee Brown-Glaude abstained.

BE IT RESOLVED, that the minutes of the July 16, 2020 meeting of the Board of Trustees are approved as presented.

III. FINANCIAL MATTERS

Dr. MacDonald presented Agenda Items III (A) through (D) for ratification, which were seconded by Mr. Inverso. The items were ratified with Trustees Berrios-Ohler, Brown-Glaude, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye.

A) MONTHLY FINANCIAL STATEMENT

The members of the Board noted receipt and ratified the Monthly Financial Statement, which is attached. (Attachment #1)

B) INVESTMENT DETAIL

The members of the Board noted receipt and ratified the Report on Investment Detail, which is attached. (Attachment #2)

C) PURCHASE ORDERS AND CONTRACTS UNDER \$36,400

The members of the Board noted receipt and ratified the Report on Purchase Orders and Contracts under \$36,400.00, which is attached. (Attachment #3)

D) MONTHLY PAYMENT LISTS FOR JULY AUGUST

The members of the Board noted receipt and ratified the monthly payment lists for July and August.

Dr. MacDonald presented Agenda Items III (E) through (U), which were seconded by Mr. Drennan. The items were passed with Trustees Berrios-Ohler, Brown-Glaude, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye.

E) ACCEPTANCE OF THE 2020-21 SCALING APPRENTICESHIP THROUGH SECTOR BASED STRATEGIES PROJECT (HEALTH WORKS) GRANT

WHEREAS, Mercer County Community College has voluntarily joined the New Jersey Health Professions Consortium to apply for funding under the United States Department of Labor, Scaling Apprenticeship through Sector Based Strategies Project (Health Works) led by Bergen Community College; and

WHEREAS, Bergen Community College was notified by the United States Department of Labor on July 15, 2019 that the grant application for funding under the United States Department of Labor, Scaling Apprenticeship through Sector Based Strategies Project (Health Works) was approved for the period between July 15, 2019 through July 14, 2023; and

WHEREAS, Bergen Community College has notified Mercer County Community College that grant funding of \$623,440 is available between July 15, 2019 to July 14, 2023 to develop and scale apprenticeships in the H1B health industry occupations serving up to 435 students with an emphasis on a percentage of these trainees to be hired by partner industries as identified by Bergen Community College and Mercer County Community College representatives; and

WHEREAS, Bergen Community College requires a signed agreement with the College to accept the funds under this grant and set forth the responsibilities and obligations under the terms of the federal grant award; now therefore

BE IT RESOLVED, that this President is authorized, on behalf of this Board, to enter into an agreement with Bergen Community College to accept funding for the 2019-23 Scaling Apprenticeship through Sector Based Strategies Project (Health Works), with an annual amount of \$394,020 for the period from July 15, 2020 through July 14, 2021.

F) ALLSTATE OFFICE INTERIORS FLOOR COVERING & INSTALLATION

WHEREAS, Mercer County Community College has a need to acquire floor covering and installation services for six (6) labs at the MS building and thirteen (13) bathrooms at the AD, BS, PE and SC buildings, on the West Windsor campus in FY 2021; and

WHEREAS, a provision of the County College Contracts Law, N.J.S.A. 18A:64A-25.9, exempts the purchase of any materials, supplies, goods, services or equipment, pursuant to a contract for such equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property\*, from public advertising from bids but requires a resolution authorizing the award of such a contract; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of the Board, to enter into a contract with Allstate Office Interiors of Robbinsville, New Jersey to acquire floor covering and installation services for floor replacement in six (6) labs in the MS building and in thirteen (13) bathrooms in the AD, BS, PE and SC buildings on the West Windsor campus, at a cost not to exceed \$85,465.35, funded by Chapter 12.

\*New Jersey State Contract #81754

G) AUDI OF AMERICA, INC. LETTER OF AGREEMENT

WHEREAS, Mercer County Community College seeks to establish a partnership with Audi of America, Inc. to increase awareness of the Audi brand among students in the College's automotive technology program at the West Windsor campus in order help meet the growing and predicted future demand for dealership technicians; and

WHEREAS, Mercer County Community College and Audi of America Inc. agree to enter into a Letter of Agreement that shall be reviewed every three years by each organization's official representative(s) and modified as needed; and

WHEREAS, during the term of the Letter of Agreement Audi of America, Inc. agrees to provide Mercer County Community College access to Materials including publications websites, meetings and other resources prepared by Audi of America Inc.; and

WHEREAS, during the term of the Letter of Agreement, Mercer County Community College agrees to provide Audi of America, Inc. with a single point of contact as well as a list of top candidates for each graduating class and other actions to encourage student participation in the Audi program; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to enter into a Letter of Agreement with Audi of America, Inc., Herndon, VA, to increase awareness of the Audi brand among students in the College's automotive technology program at the West Windsor campus in order help meet the growing and predicted future demand for dealership technicians, for a three (3) year term from September 8, 2020 through September 8, 2023. There is no cost to the College associated with the Agreement.

H) BROADVIEW NETWORKS TELEPHONE SERVICE AMENDED  
RESOLUTION FOR COST AND TIME PERIOD

WHEREAS, Mercer County Community College has a need to obtain digital landline telephone services in FY2021; and

WHEREAS, a provision of the County Contracts Law, N.J.S.A 18A:64A-25.10 allows for one or more county colleges to provide for such purchases by joint agreement with the governing body of the municipality or of the county within whose boundaries any such college or colleges is or are wholly or partly located and may enter agreements with other institutions of higher education or with other units of government pursuant to Local Public Contracts Law, P.L. 1971, c198 (C.40A:11-1, et seq); and

WHEREAS, the New Jersey colleges selected NJEdge.Net to act as purchasing agent with respect to the purchase of digital landline telephone services; and

WHEREAS, Broadview Networks in an approved affiliate with NJEdge.Net to provide digital landline telephone services at reduced pricing; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to extend the contract with Broadview Networks of Philadelphia, Pennsylvania, in accordance with the resolution adopted by the Board of Trustees on February 23, 2017, by twelve (12) months, to provide digital landline telephone services for FY 2021 at a cost not to exceed \$168,000 through the period ending June 30, 2021.

I) CANTEEN/COMPASS GROUP USA, INC. FOOD MANAGEMENT & VENDING SERVICES

WHEREAS, Mercer County Community College has a need to acquire food service management and vending services for the College's Eatery at the West Windsor campus and vending services at the James Kerney campus in FY 2021 through FY 2023; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of this service will exceed \$36,400; and

WHEREAS, a provision of the County Contracts Law, N.J.S.A 18A:64A-25.4 requires every contract or agreement for the performance of any work or the furnishing or hiring of any materials and supplies which is to be paid with or out of college funds, shall be made and awarded only by the County College after public advertising for bids and bidding and therefore, the requirements to a fair and open contract process were met; and

WHEREAS, Compass Group, U.S.A. has completed and submitted a Business Entity Disclosure Certification which certifies that Canteen / Compass Group, U.S.A. has not made any reportable contributions to a political or candidate committee in Mercer County in the previous one year, and the contract will prohibit Canteen / Compass Group, U.S.A. from making and reporting contributions through the term of the contract; now therefore

WHEREAS, on July 16, 2020 the Board authorized the President on behalf of this Board, to enter into a one year (1) contract, with two (2) one year extension options with Canteen / Compass Group, U.S.A., to provide food service management and vending services to the West Windsor campus and vending services to the James Kerney campus for the period from August 1, 2020 to July 30, 2021.

WHEREAS, an all-day campus tour and extensive due diligence planning session on July 24, 2020 and subsequent pre-construction logistical and project planning discussions between Canteen / Compass Group, U.S.A., and the College's Facilities and Athletic Departments' have identified three (3) locations for new unmanned Avenue C markets, on the West Windsor campus; and four (4) new vending machines to be installed outside at the athletic fields on the West Windsor campus, and certain vending machine upgrades at both the West Windsor and Kerney campuses, such that the initial investment proposed by Canteen / Compass Group, U.S.A. will increase from an estimated \$50,000 as submitted in their March 21, 2020 bid proposal to an amount of approximately \$110,500, in the first six months of the initial contract year;

WHEREAS, the initial one (1) year contract approved by the Board on July 16, 2020 will not be sufficient for Canteen / Compass Group, U.S.A. to recover their increased

initial investment as required by their financial risk model, however a three (3) year contract, with two (2) one year extension options is an acceptable contract term that satisfies the vendor's financial risk model;

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to enter into a three (3) year contract, with two (2) one year extension options with Canteen / Compass Group, U.S.A., to provide food service management and vending services to the West Windsor campus and vending services to the James Kerney campus for the period from August 1, 2020 to July 30, 2023.

J) CAROLINA BIOLOGICAL COOPERATIVE PRICING FOR LAB SUPPLIES

WHEREAS, Mercer County Community College has a continuing need to acquire remote learning laboratory kits and related supplies as instructional aids for the Chemistry and Biology Departments in FY 2021; and

WHEREAS, a provision of the County College Contracts Law, N.J.S.A. 18A:64A-25.10, exempts the purchase of any materials, supplies, goods, services or equipment from public advertising for bids when two or more county colleges agree jointly for the purchasing for their respective colleges, but requires a resolution authorizing the award of such a contract; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to contract with the New Jersey Council of County Colleges' Joint Purchasing Consortium (JPC)\* awarded vendor, Carolina Biological, Charlotte, NC, for the purchase of laboratory kits and related supplies as instructional aids for an amount not to exceed \$50,000 annually for the period from July 1, 2020 to June 30, 2021, whose costs are paid from or enabled by the Coronavirus Aid, Relief and Economic Security (CARES) Act;

\*FY19JCP-54

K) CONOVER BUILDING MANAGEMENT – EMERGENCY JANITORIAL SERVICES

WHEREAS, Mercer County Community College has an on-going need to acquire janitorial services for the health, safety and welfare of staff and students at the James Kerney and West Windsor campuses in FY 2020-21 and effective Sept. 1, 2020 janitorial services for the shared facility at the Mercer County Vocational School and at the property that the College leases at 101 N. Broad St, Trenton, NJ; and

WHEREAS, Mercer County Community College awarded an emergency contract with Conover Building Maintenance of North Brunswick, New Jersey ("Conover") to provide janitorial services at a monthly rate of \$68,475 and janitorial supplies at

\$2,708 at the James Kerney and West Windsor campuses from March 1, 2020 to May 31, 2020, and subsequently exercised its option to extend the initial emergency contract by three (3) additional months, from June 1, 2020 to August 31, 2020; and

WHEREAS, during the period in which the College will be issuing a public bid for janitorial services, the need exists for janitorial services to continue at the shared facility at the Mercer County Vocational School and at the property that the College leases at 101 N. Broad St., Trenton, NJ and for additional janitorial services to address increased student, faculty and staff presence for the Kerney and West Windsor campuses in September 2020; and

WHEREAS, a provision of County Contracts Law, N.J.S.A 18A:64A-25.6 authorizes the award of any purchase, contract or agreement by a County College without public advertising when an emergency affecting the health, safety or welfare of occupants of college property requires the immediate delivery of materials, supplies or the performance of work; and

WHEREAS, not having a custodial vendor in place would constitute an emergency affecting the health, safety or welfare of staff and students, especially during the continuing public health crisis; and

WHEREAS, the College representative in charge of facilities has described the nature of the emergency, the time of its occurrence and the need to invoke N.J.S.A 18A:64A-25.6; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of this service will exceed \$17,500; and

WHEREAS, Mercer County Community College had planned to issue a publicly advertised bid for Janitorial Services prior to the date of this Board resolution but due to circumstances imposed by the COVID-19 resulting in staff interruptions, delayed the issuance of a publicly advertised bid until September 2020 with bids due in October 2020; and

WHEREAS, Conover is able to meet the work specifications and provide the necessary janitorial services including added buildings, for an additional three (3) month period at a competitive monthly rate of \$62,677.48 plus \$2,708.33 for janitorial supplies; and

NOW THEREFORE BE IT RESOLVED, that the President is authorized, on behalf of this Board, to amend the contract with Conover in accordance with N.J.S.A 18A:64A-25.6 to continue to provide necessary janitorial services at a monthly rate of \$62,677.48 plus \$2,708.33 for janitorial supplies, for an additional three (3) months from September 1, 2020 through November 30, 2020.

L) FOLLETT HIGHER EDUCATION GROUP BOOKSTORE MANAGEMENT SERVICES

WHEREAS, Mercer County Community College has a need to reimburse the Follett Higher Education Group for textbooks, merchandise and other purchases made with awarded student financial aid in FY 2021; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of this service will exceed \$17,500; and

WHEREAS, the Follett Higher Education Group is under contract to manage the College's bookstores at the James Kerney and West Windsor campuses through June 30, 2021; and

WHEREAS, Follett Higher Education Group has completed and submitted a Business Entity Disclosure Certification which certifies that Follett Higher Education Group has not made any reportable contributions to a political or candidate committee in Mercer County in the previous one year, and the contract will prohibit Follett Higher Education Group from making and reporting contributions through the term of the contract; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to reimburse the Follett Higher Education Group of Oak Brook, Illinois, in accordance with the resolution adopted by the Board of Trustees on April 21, 2016, for textbooks, merchandise and other purchases made with awarded student financial aid in an amount not to exceed \$733,000 in FY 2021.

M) NEW JERSEY BUSINESS SYSTEMS

WHEREAS, Mercer County Community College has a need to purchase fiber optic cable and other related equipment, including installation services, for the College's streaming technology project at the West Windsor campus for FY 2021; and

WHEREAS, Mercer County Community College has prepared a COVID-19 Technology Plan for College re-opening support and has a need to purchase equipment, supplies and installation service, whose costs are paid from or enabled by the Coronavirus Aid, Relief and Economic Security (CARES) Act; and



WHEREAS, a provision of the County College Contracts Law, N.J.S.A. 18A:64A-25.9, exempts the purchase of equipment, pursuant to a contract for such equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property\*, from public advertising from bids but requires a resolution authorizing the award of such a contract; now therefore

BE IT RESOLVED, that the President be authorized, on behalf of this Board, to enter into a contract with New Jersey Business Systems Inc., Robbinsville, NJ for an amount not to exceed \$123,000 for the purchase of fiber optic cable and other related equipment, including installation services at the West Windsor campus from September 17, 2020 through June 30, 2021.

\*NJBS State Contract(s) # T0109/88389 and T2989/88738

N) NEW JERSEY CITY UNIVERSITY AGREEMENT OF UNDERSTANDING

WHEREAS, Mercer County Community College seeks to establish a new partnership with the New Jersey City University (NJCU) School of Business that enables students to complete the upper division courses required for a Bachelor of Science degree program in the NJCU School of Business, upon completion of an associate degree at the Trenton and West Windsor campuses; and

WHEREAS, Mercer County Community College and New Jersey City University agree to enter into a Dual Admissions Program and A.A.S. Degree Articulation Agreement for Business Programs that shall be reviewed every three years by each institution's official representative and modified as needed; and

WHEREAS, Mercer County Community College and New Jersey City University agree to notify each other of curricular changes, upon institutional approval, as described by the Agreement; and

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to enter into the Dual Admissions Program and A.A.S. Degree Articulation Agreement for Business Programs with New Jersey City University, that enables students to complete upper the upper division courses required for a Bachelor of Science degree program in the NJCU School of Business, for a three (3) year term from June 15, 2020 through June 14, 2023.

There is no cost to the College associated with the Agreement.

O) NEW JERSEY DEPARTMENT OF LABOR & WORKFORCE  
DEVELOPMENT UNEMPLOYMENT INSURANCE PROGRAM

WHEREAS, Mercer County Community College has a need to obtain unemployment insurance coverage for all current College employees in FY 2021; and

WHEREAS, a provision of the County Contracts Law, N.J.S.A. 18A:64A-25.5, (a) (11) exempts insurance services from public advertising for bids but requires a resolution authorizing the award of such a contract; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to issue payments to the New Jersey Unemployment Insurance Program administered by the New Jersey Department of Labor and Workforce Development at a cost not to exceed \$85,218 from July 1, 2020 through June 30, 2021.

P) PRESIDIO NETWORKED SOLUTIONS GROUP, LLC

WHEREAS, Mercer County Community College has a need to purchase streaming video network hardware and software for the College's streaming technology project at the West Windsor campus for FY 2021; and

WHEREAS, Mercer County Community College has prepared a COVID-19 Technology Plan for College re-opening support and has a need to purchase equipment, supplies and installation service, whose costs are paid from or enabled by the Coronavirus Aid, Relief and Economic Security (CARES) Act; and

WHEREAS, a provision of the County College Contracts Law, N.J.S.A. 18A:64A-25.9, exempts the purchase of equipment, pursuant to a contract for such equipment entered into on behalf of the State of New Jersey by the Division of Purchase and Property\*, from public advertising from bids but requires a resolution authorizing the award of such a contract; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to enter into a contract with Presidio Networked Solutions Inc., Morristown, NJ, for an amount not to exceed \$56,000 for the purchase of streaming video network hardware and software at the West Windsor campus from September 17, 2020 through June 30, 2021.

\*New Jersey State Contract NASPO ValuePoint AR233 (14-19) NJ 87720

Q) PROQUEST DISCOVERY SERVICES

WHEREAS, Mercer County Community College has need to acquire library resource services that support all academic studies offered by the College including e-books, databases, newspapers, and other primary resources for use by faculty and students for course research in FY 2021; and

WHEREAS, this purchase will be executed as a Political Contribution Disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of this service will exceed \$17,500; and

WHEREAS, a provision of the County Contracts Law, N.J.S.A. 18A:64A-25.5, (a) (6) exempts library materials including without limitation books, periodicals and newspapers from public advertising for bids but requires a resolution authorizing the award of such a contract; and

WHEREAS, the firm of ProQuest Subscription Services has completed and submitted a Business Entity Disclosure Certification which certifies that ProQuest Subscription Services has not made any reportable contributions to a political or candidate committee in Mercer County in the previous one year, and the contract will prohibit ProQuest Subscription Services from making any reportable contributions through the term of the contract; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to enter into a contract with ProQuest Subscription Services of Tinton Falls, New Jersey to provide library resource services that support all academic studies offered by the College using e-books, databases, newspapers, and other primary resources for course research through June 30, 2021 at a cost not to exceed \$60,000.

R) TCF NATIONAL BANK – NUTANIX/ASPIRE TECHNOLOGY PARTNERS, AMENDED RESOLUTION FOR ACCEPTANCE OF REVISED LEASE SCHEDULE WITH NEW LESSOR

WHEREAS, Mercer County Community College previously determined that it had a need to replace its aging and unsupported server infrastructure by moving the servers to the cloud to improve functionality, security and system management in FY 2021 and beyond; and

WHEREAS, the purchase agent previously determined and certified in writing that the value of this service will exceed \$17,500; and

WHEREAS, NJEdge.Net offers voluntary participation in the EdgeMarket Cooperative Pricing System (ID-269EMCPS) for the purchase of goods and services; and

WHEREAS, the Board of Trustees approved Mercer County Community College participation in the EdgeMarket Cooperative Pricing System on April 19, 2018; and

WHEREAS, Aspire Technology Partners is an approved participant in the EdgeMarket Cooperative Pricing System\*;

WHEREAS, on November 21, 2019, the Mercer County Community College Board of Trustees (“Board”) approved a sixty (60) month lease contract with Aspire Technology Partners for server infrastructure for Lease MA-0010782; and

WHEREAS, on March 19, 2020, the Mercer County Community College Board of Trustees (“Board”) approved an amended resolution to modify the sixty (60) month lease contract with Aspire Technology Partners c/o Winthrop Resources Corporation d/b/a Winthrop Technology Resources effective date to March 1, 2020 and an expiration date of February 28, 2025; and

WHEREAS, on August 5, 2020, Mercer County Community College became aware that monthly invoice payments issued to Aspire Technology Partners c/o Winthrop Resources Corporation d/b/a Winthrop Technology Resources have not been cashed; and

WHEREAS, in August 2020, Mercer County Community College performed due diligence and verified that on December 31, 2019, the State of Minnesota issued a “Certificate of Merger” certifying a merger between Winthrop Resources Corporation and TCF National Bank; and

WHEREAS, TCF National Bank, successor by merger to Winthrop Resources Corporation is the new lessor for Lease MA-0010782; and now therefore

BE IT RESOLVED, that the President is authorized to enter into a revised lease schedule with TCF National Bank, successor by merger to Aspire Technology Services c/o Winthrop Resources Corporation and, and it is further resolved that the College is authorized to remit all outstanding lease payments to TCF National Bank under amended Lease MA-0010782, at a cost not to exceed \$83,916 annually, effective on March 1, 2020 and expiring on February 28, 2025.

\* NJEdge Contract #00278834

S) TRENTON WATER WORKS AGREEMENT OF UNDERSTANDING

WHEREAS, Mercer County Community College seeks to establish a partnership with Trenton Water Works to establish a Clean Water and Waste Water Treatment Program to be offered by the College’s Division of Lifelong Learning in which Trenton Water Works would provide high quality, industry standard curriculum for courses offered at its facility at 333 Cortland Street, Trenton, NJ; and

WHEREAS, Trenton Water Works agrees to provide the necessary faculty and subject matter expert(s) and all course materials to students enrolled in the program and provide onsite training and be responsible for any course adjustments necessary

for program approval by the New Jersey Department of Environmental Protection and Mercer County Community College; and

WHEREAS, Trenton Water Works agrees to provide a minimum cohort of ten (10) students at a cost not to exceed \$1,800 per student plus fees per course section paid to the College for each offering and at no cost to Mercer County Community College; and

WHEREAS, expected revenue to the College will be not less than \$18,000 annually; and

WHEREAS, Mercer County Community College Division of Lifelong Learning agrees to enter into a contract to start up the program by offering a course “Introduction to Water and Waste Water Operations” and subsequently enter into other contracts to provide additional courses, in response to future student enrollments, and provide educational credentialing to ensure program approval of course offerings and provide administrative support, including the processing all registrations; and

WHEREAS, N.J.S.A. 18A:64A-12 (j) authorizes the Board of Trustees to enter into contracts and agreements with the State or any of its political subdivisions, or with any public body, department or agency of the State or United States which is necessary or desirable for college purposes; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to enter into an Agreement of Understanding with Trenton Water Works, to enter into subsequent contracts to provide credentialing support and administrative services that enables students to participate in a Clean Water and Waste Water Treatment Program as approved by the New Jersey Department of Environmental Protection through June 30, 2021, at no cost to Mercer County Community College.

T) VOORHEES GROUP, INC.

WHEREAS, Mercer County Community College has a need to acquire a strategic planning consultant and related services to update and refresh its present strategic plan created during the 2015-2016 academic year, covering the period 2016 through 2021; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of this service will exceed \$17,500; and

WHEREAS, the purchase will be executed as a Political Contribution Disclosure contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and

WHEREAS, a provision of the County Contracts Law, N.J.S.A. 18A:64A-25.5, (a) (1) exempts professional services from public advertising for bids but requires a resolution authorizing the award of such a contract; and

WHEREAS, Voorhees Group, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Voorhees Group, LLC has not made any reportable contributions to a political or candidate committee in Mercer County in the previous one year, and the contract will prohibit Voorhees Group, LLC from making any reportable contributions through the term of the contract; now therefore

BE IT RESOLVED, that the President is authorized, on behalf of this Board, to contract with Voorhees Group, LLC of Littleton, Colorado in an amount not to exceed \$31,000 to acquire strategic planning consultant and related services to update and refresh the College's strategic plan, for a contract term from September 2020 through June 30, 2021.

U) CONTRACT MODIFICATIONS FOR THE PRESIDENT

WHEREAS the Board of Trustees ("Board") previously approved a contract to appoint Dr. Jianping Wang as President of the Mercer County Community College ("MCCC") for the period July 1, 2018 through June 30, 2021; and

WHEREAS, at its March 19, 2020 meeting, the Trustees approved a retroactive modification to Section 3.2 of the contract – which provides for a contribution by the College to the President's retirement plan – to provide a non-cumulative 1.5% increase in the College's contribution to a total 11.5% for the 2019-20 year only; and

WHEREAS the Board of Trustees now desires to retroactively increase the President's 2020-21 base salary by 2.0 %, effective July 1, 2020, to approve the President's request to redeem two unused vacation days, and to continue the non-cumulative 1.5% increase in the College's contribution to the President's retirement plan to provide a total contribution of 11.5% for the 2020-21 year only;

NOW THEREFORE BE IT RESOLVED that the Board of Trustees approves a retroactive increase to Dr. Jianping Wang's base salary by 2.0 % for the 2020-21 year, effective July 1, 2020, and approves the President's request to redeem two unused vacation days; and

BE IT FURTHER RESOLVED that the Board of Trustees approves the continuation of the 1.5% increase in the College's contribution to Dr. Jianping Wang's retirement plan modifying Section 3.2 to provide a total contribution of 11.5% for the 2020-21 year only, effective July 1, 2020.

IV. HUMAN RESOURCES MATTERS

Ms. Delli Santi presented Agenda Item IV (A), which was seconded by Ms. Berrios-Ohler. The item was passed with Trustees Berrios-Ohler, Brown-Glaude, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye.

A) RATIFICATION OF APPOINTMENTS AND STAFF SEPARATION REPORT

BE IT RESOLVED, that this Board approves the Ratification of Appointments, and notes receipt of the Staff Separation Report, all of which will be made a part of the minutes of this meeting. (Attachment #4)

V. OPERATIONS MATTERS

Mr. Drennan presented Agenda Items V (A) and (B), which were seconded by Dr. Nespoli. The items were ratified with Trustees Berrios-Ohler, Brown-Glaude, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye.

A) NEW OMB 989 – PANDEMIC POLICY

BE IT RESOLVED, that the Board hereby approves the proposed Pandemic Policy recommended by the President and Operations Committee of the Board, and as outlined in the attached, which will be made part of the minutes of this meeting. (Attachment #5)

B) NEW OMB 990 - REASONABLE ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT POLICY

BE IT RESOLVED, that the Board hereby approves the proposed policy on Reasonable Accommodations under the Americans with Disabilities Act (ADA) as recommended by the President and Operations Committee of the Board, and as outlined in the attached, which will be made part of the minutes of this meeting. (Attachment #6)

C) NEW OMB 991 – IT REMOTE ACCESS POLICY

Mr. Drennan motioned that Agenda Item V (C), be tabled for further review, which was seconded by Ms. Delli Santi. The item was tabled.

Mr. Drennan presented Agenda Item V (D), which was seconded by Dr. Nespoli. The item was ratified with Trustees Berrios-Ohler, Brown-Glaude, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye.

D) REVISED OMB 311 – PURCHASING POLICY

BE IT RESOLVED, that the Board hereby approves the proposed revised policy Purchasing (OMB 311) as recommended by the President and Operations Committee of the Board, and as outlined in the attached, which will be made part of the minutes of this meeting. (Attachment #7)

Mr. Drennan presented Agenda Items V (E) and (F) for ratification, which were seconded by Dr. MacDonald. The items were ratified with Trustees Berrios-Ohler, Brown-Glaude, Delli Santi, Drennan, Hernandez-Manno, Inverso, MacDonald, Matzen and Nespoli voting aye.

E) JULY 2020 CLERY REPORT

The members of the Board noted receipt and review and ratified the July 2020 Clery Report, which is attached. (Attachment #8)

F) AUGUST 2020 CLERY REPORT

The members of the Board noted receipt and review and ratified the August 2020 Clery Report, which is attached. (Attachment #9)

VI. OTHER MATTERS

Chair Matzen appointed the Nominating Committee for the Board. Ms. Berrios-Ohler will Chair the committee and Ms. Hernandez-Manno and Mr. Inverso will be members.

VII. PRESIDENT'S UPDATE

Enrollment

- As of today, our fall 2020 enrollment is down 16.1 percent compared to fall 2019. Although it is 1.1% more than what we budgeted for, it is a significant improvement from an initial drop of more than 50%. Credit goes to our dedicated staff who worked tirelessly in making this possible. Approximately 6% of credits are hybrid, 35% credits online, and 54% remote.

Fiscal Health

- Although the college closed FY'20 with a small surplus thanks to our collective sacrifice and efforts, our FY'21 budget began with a big challenge. After our first-quarter state funding was cut by 50%, the proposed state-aid cut for the remainder of the fiscal year is 25%, which is unsustainable and most devastating. The college is actively lobbying lawmakers to restore our state funding to the pre-COVID level, which is already significantly below the state obligation level of one third of our operating budget.
- The college community has been actively engaged in thinking out-of-the-box to find ways to generate revenue and maximize operational efficiency. We will continue to honor our commitment to our students, to each other, and to our communities despite the unprecedented fiscal challenges. We will continue to protect the job security of all full-time employees, and limit job losses of adjunct faculty and many of our hourly employees due to the enrollment decline. It is not easy, but together we have made significant strides and we will continue to do so.

COVID-19 Response

- To date, our CARES Act Team has awarded 1,248 students more than \$1,100,000.
- Although our brand new OneStop Student Center is complete, due to COVID-19 we cannot open the Center this fall. But this does not dampen our excitement to roll out this



state-of-the-art service to our students. The staff worked tirelessly to develop our new virtual OneStop Center. As of last week, students can visit <https://mccc.edu/onestop> and enter a Zoom room with staff for help with services like registration, Blackboard, or MyMercer, or in contacting academic departments. As of this morning, 624 students were served. Effective this week, financial aid assistance is also being offered. Congratulations to all those who worked so hard to make this exceptional project happen.

- In preparing students for the new semester, Student Life usually offers Orientations to new students. This year, they organized virtual orientations. Higher participation was reported. Going forward, the college may consider offering virtual orientation as part of the regular services.
- The college successfully ran both the College Assembly and the Faculty Convocation. Both events had recording attendance (over 220 and over 170 respectively) with active participation from many members. We wish to thank the co-chairs of the Assembly, Nichol Killian, John Kashmer, Dr. Andrea Lynch and many faculty and staff in making it the best assembly in recent years. Your creative video and humor definitely added a lot of flavor and fun to the gathering. Many thanks to all.
- Following a summer of test driving a new virtual approach to assisting students, Tutoring Services began hosting sessions for its Virtual Front Desk, Writing, and Science Learning Centers on Tuesday Sept. 8. Sessions for the Academic Core Enrichment (ACE) study groups began on Monday, Sept. 14. This is a continuation of the college's push to offer as many of our traditional in-person services in a virtual format as possible. We are seeing an earlier interest in using this resource than in previous semesters.
- The College's bookstore has successfully launched home delivery of materials for the fall 2020 semester.
- The Library is creating new ways to assist faculty and students in this new teaching and learning environment while keeping people safe.

#### Partnerships/Community Outreach

- We continue to plan for the second our Virtual Employment Fair. The first one in July was a hit, earning support from a number of local businesses. The second fair will focus on bringing job-seekers in contact with area employers this fall.
- The college has launched a 180-hour water-treatment training program in partnership with Trenton Water Works. The program aims to help employees increase their skills and provide them greater upward mobility. Mercer County Community College is proud of this partnership as part of our ongoing contribution to revitalization of Trenton, our capital city and home of our James Kerney Campus.
- The college will partner with the Mercer County Technical Schools in applying for the Securing our Children's Future Grant, in order to create a pipeline of workforce in the areas of aviation and automotive technology. Our respective academic programs will be aligned to allow easier transition from high school to college and to better connect jobs with academic programs.
- Our Professional Academic Support Services (PASS) has developed specific programs to provide assistance to K-12 students and their parents. Professional Academic Support Services aims to assist many New Jersey secondary school students and their parents as they face the challenge of learning remotely this school year.

- Our Automotive Technology program received a 2017 Dodge Charger Daytona through its partnership with Fiat Chrysler Automobiles. The Charger is a high-performance machine that allows our students to work on the latest innovations in automotive tech.
- Following COVID-19 delays, Kindersmile is officially set to open next month at 101 North Broad. This partnership brings free dental care to underserved communities in Trenton.
- Last week, in lieu of our traditional, on-campus ceremony on 9/11, the college commemorated the date with a letter to the community and a memorial video. Our efforts generated a positive response on social media, and was shared in Mercer County's Friday newsletter.

#### Student Success

- MCCC Alumnus Daniel Hurley, a full-time aide to Assemblyman Daniel R. Benson, recently earned a fellowship at The Hay Institute in Washington D.C. Hurley graduated in 2017 from MCCC's honors program and earned his bachelor's degree last year from The College of New Jersey.
- Earlier this summer, MCCC Alumnus Ralston Denton was promoted to the position of Captain of the Trenton Fire Department.

#### VIII. NEW JERSEY COUNCIL OF COMMUNITY COLLEGE REPORT

- Governor Murphy has proposed a \$25 million cut to community colleges, but level funding for the state colleges and universities. This kind of disparity between community colleges and senior colleges would be unprecedented.
- We are asking the Legislature to restore this \$25 million to community colleges so that community colleges receive the same kind of level funding that the Governor has proposed for the state colleges and universities.
- Mercer's share of this \$25 million restoration would be over a million dollars in state aid, which would help the college keep tuition affordable and maintain its commitments to faculty and staff.
- Call for Action – Faculty and staff are encouraged to go to the NJ Council of County Colleges Legislative Action Center to send emails to Mercer County state legislators asking them to support the restoration of \$25 million to community colleges in the FY2021 state budget. See [www.njccc.org/legislative-action-center](http://www.njccc.org/legislative-action-center)

#### 1. STRATEGIC CONSIDERATIONS: WHAT COMMUNITY COLLEGE PROGRAMS ARE RIPE FOR INNOVATION GIVEN THE LESSONS WE HAVE LEARNED TO DATE IN OUR RESPONSES TO COVID? HERE ARE SOME EARLY OBSERVATIONS FROM COMMUNITY COLLEGE LEADERS ACROSS THE STATE AND COUNTRY.

- More Transfer Pathways – More students are “swirling” among many colleges – earning credits at multiple colleges along the way to their degree. It is important that we offer community college students as many transfer pathways as possible with as many four-year institutions as possible, ensuring as best we can that our students do

- not lose credits when they transfer. The new MCCC transfer agreement with New Jersey City University approved at tonight's board meeting is a good example of this.
- Stronger K-12 Relationships – Many community colleges are seeing rapid growth in dual enrollment courses – and there is opportunity for more growth still. But building stronger relationships with K-12 partners isn't simply about dual enrollment. It also includes finding ways to use community college resources to support local public school students and their families during these challenging times – for example, supporting their use of new remote teaching and learning technologies. The new MCCC PASS (Professional Academic Support Services) tutoring program for public school students and parents is a good example of this.
  - More Short-Term Programs – With unemployment high and uncertainty ahead, many students are cautious about making long-term commitments – perhaps even the two-year commitment for an associate degree. With this in mind, Lorain Community College in Ohio recently rolled out 21 short-term programs that allow students to earn industry-certified credentials in 16 weeks or less. Plus it has restructured some of its associate degree programs so that they can be earned in 15 months. Other community colleges should consider doing the same.

#### IX. CHAIR'S REPORT

Dr. Aamir Rehman, Chair of the Foundation Board, reported that the Student Emergency Fund raised \$51,200. He said he is pleased with the broad base of donors. While this fund is closed, they now have the Student Assistance Fund, which is broader. Dr. Rehman reported that the Foundation Board moved \$300,000 to the College to help students during this time. He said the reason for the College Endowment is to help during such challenging times. Dr. Rehman reported that the first Foundation meetings are scheduled for October, but the board has been engaged since June.

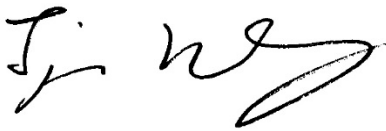
Chair Matzen reported that the MCCC Diversity & Inclusion Task Force was charged in June by President Wang and immediately went to work. Co-chaired by Dr. Andrea Lynch & Stacy Denton, the group delivered their report in July and the College then held two open forums in August. The report was finalized by the Task Force & is posted on the College website. He said this is a great, comprehensive report. On behalf of the Board, Chair Matzen thanked the task force for their leadership and invited them to briefly share their findings. Board members expressed their appreciation and gratitude to the task force and said their findings were a phenomenal piece of work.

BE IT RESOLVED, that this Board adjourns to Executive Session at 7:55 p.m. to discuss safety and security of the College. Circumstances under which these discussions will be disclosed to the public when necessary actions are taken at public session

The public session reconvened at 8:29 p.m.

There being no further business to discuss, Mr. Inverso moved to adjourn the meeting. The motion was seconded by Ms. Berrios-Ohler and passed unanimously. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Wang', with a large, sweeping flourish at the end.

Dr. Jianping Wang  
President, Mercer County Community College

/bb  
Attachments



**Preliminary  
 August 2020 Draft Financial Statement**

	<b>FY2021 Budget</b>	<b>Aug 2020 YTD</b>	<b>(Over)/Under Budget</b>	<b>Actual % Used/Earned</b>	<b>Expected % Used/Earned</b>	<b>Variance % Used/Earned **</b>
<b>Revenues:</b>						
State of New Jersey	6,230,000	693,000	5,537,000	11.12%	16.67%	-5.55%
Mercer County	18,228,000	3,038,608	15,189,392	16.67%	16.67%	0.00%
Tuition & Fees	27,003,000	3,075,392	23,927,608	11.39%	8.50%	2.89%
Non -Credit Tuition & Fees	1,750,000	67,000	1,683,000	3.83%	6.50%	-2.67%
Other **	4,983,000	881,000	4,102,000	17.68%	29.00%	-11.32%
<b>Total Revenue</b>	<b>58,194,000</b>	<b>7,755,000</b>	<b>50,439,000</b>	13.33%	13.62%	-0.29%
<b>Salaries - 55.05% of total Budget</b>	32,034,000	4,311,000	27,723,000	13.46%	16.67%	-3.21%
<b>Benefits - 18.44% of total Budget</b>	10,730,000	1,745,000	8,985,000	16.26%	16.67%	-0.41%
<b>Total Salary and Benefits - 73.49% of total Budget</b>	<b>42,764,000</b>	<b>6,056,000</b>	<b>36,708,000</b>	14.16%	16.67%	-2.51%
<i>- Salaries and Benefits allocated below</i>						
<b>Expenses:</b>						
Instruction	25,767,900	3,474,000	22,293,900	13.48%	15.00%	-1.52%
Academic Support	3,281,400	442,000	2,839,400	13.47%	16.67%	-3.20%
Student Services	5,359,500	713,000	4,646,500	13.30%	16.67%	-3.37%
Institutional Support	17,190,900	2,542,000	14,648,900	14.79%	20.00%	-5.21%
Plant Operations	6,594,300	690,000	5,904,300	10.46%	16.67%	-6.21%
	58,194,000	7,861,000	50,333,000	13.51%	16.91%	-3.40%
<b>KEY BUDGET ITEMS (included above):</b>						
Utilities	1,870,000	158,000	1,712,000	8.45%	12.00%	-3.55%
Custodial Contract	850,000	74,000	776,000	8.71%	16.67%	-7.96%
Maintenance, Grounds and Equipment	2,254,000	358,000	1,896,000	15.88%	16.67%	-0.79%
IT Management, Computer Software and Hardware	3,729,000	608,000	3,121,000	16.30%	16.67%	-0.37%
	8,703,000	1,198,000	7,505,000	13.77%	15.67%	-1.90%
<b>Total Expenditures</b>	<b>58,194,000</b>	<b>7,861,000</b>	<b>50,333,000</b>	13.51%	16.91%	-3.40%
<b>Surplus/Deficit</b>	<b>-</b>	<b>(106,000)</b>	<b>106,000</b>			
<b>** Other Revenue Key Items:</b>						
WWFM Listener Donations	540,000	80,000	460,000	14.81%	16.67%	-1.86%
Conference Center and Food Commissions	582,000	-	582,000	0.00%	9.00%	-9.00%
Partner Schools (Rutgers, Felician, William Patterson, FDU)	274,000	-	274,000	0.00%	0.00%	0.00%
Mercer Institute	840,000	63,000	777,000	7.50%	9.00%	-1.50%
Kelsey Theater	307,500	-	307,500	0.00%	0.00%	0.00%
Tower Rentals	425,000	76,000	349,000	17.88%	16.67%	1.21%
Facility Rentals	254,000	32,000	222,000	12.60%	16.67%	-4.07%
Bookstore	150,000	-	150,000	0.00%	16.67%	-16.67%
Summer Camps (Tomato Patch/Athletics/Camp College)	780,000	73,000	707,000	9.36%	100.00%	-90.64%

\*\* Negative variance in the expected revenue equates to less than anticipated earnings

\*\* Negative variance in the expected expense equates to cost savings

MCCC

Attachment #2

**INVESTMENT DETAIL  
 FOR THE PERIOD ENDING August 31, 2020**

<u>DATE</u>	<u>SHORT TERM INVESTMENTS</u>	<u>TERM &amp; INTEREST</u>		<u>AMOUNT</u>	
		<u>RATE</u>	<u>DUE</u>		
08/31/20	Bank of Princeton	0.10%	N/A	3,591,149.31	
08/31/20	Bank of Princeton	2.00%	1/22/2021	524,689.10	
08/31/20	FIRST BANK	0.35%	N/A	1,052,778.18	
08/31/20	WELLS FARGO BANK BALANCE	0.25%	N/A	<u>9,654,433.91</u>	###
				<u>14,823,050.50</u>	***
 <b><u>LONG TERM INVESTMENTS</u></b>					
08/31/20	WELLS FARGO BANK - UNEMPLOYMENT TRUST FUND	N/A		<u>520,558.29</u>	

\*\*\* Cash Balances are gross, current Liabilities are not netted against these balances

### Includes \$1 million of advanced capital funding from the County  
 and \$1.1 million of funds earmarked for students under the Cares Act

MCCC PURCHASE ORDER REPORT

\$7,280 - \$36,400

DATE OF BOARD MEETING: September 17, 2020

Budget lines beginning with "2" indicate grant funded

P O.#	DATE	VENDOR	AMOUNT	BUDGET CODE	BASIS FOR AWARD
B5999	7/1/20	SiteOne Landscape Supply Robbinsville, NJ	\$8,000.00	10-07-01-03-301401-68510	Mercer Co.CoOp #CK09Mercer2019-25
Landscaping Supplies for Facilities Dept.					
B5956	7/1/20	Lowe's Princeton, NJ	\$9,000.00	10-07-01-03-301401-61580	NJ State Contract #18-Fleet-00235
Building Supplies for Facilities Dept.					
B5988	7/1/20	Sherwin Williams Trenton, NJ	\$9,000.00	10-07-01-03-301401-61580	ESCNJ #19/20-14
Painting Supplies for Facilities Dept.1					
B5957	7/1/20	Western Pest Services Princeton, NJ	\$10,000.00	10-07-01-03-301401-68550	MCCC RFQ #1920
Pest Services for Facilities Dept.					
B5922	7/1/20	Black Rocket Productions Freehold, NJ	\$11,500.00	38-03-01-02-207005-64206	Exemption: Professional Services
Payment for on-line platform and digital art content for Camp College virtual class's summer 2020					
B5946	7/1/20	WW Grainger Inc. Cranford, NJ	\$15,000.00	10-07-01-03-301401-61401	NJ State Contract #79875
Custodial Supplies for Facilities Dept.					
B6017	7/1/20	Riggins, Inc. Millville, NJ	\$20,000.00	10-07-01-03-301406-69821	NJ State Contract #19-FOOD-01096
Vehicle Fuel (Gasoline and Diesel) for Facilities Dept.					
B6022	7/1/20	Franklin-Griffith Windsor, NJ	\$20,000.00	10-07-01-03-301401-61550	NJ State Contract #85580
Electrical Supplies for Facilities Dept.					

MCCC PURCHASE ORDER REPORT  
 \$7,280.00 - \$36,400.00 DATE OF BOARD MEETING: September 17, 2020  
 Budget lines beginning with "2" indicate grant funded

P O. #	DATE	VENDOR	AMOUNT	BUDGET CODE	BASIS FOR AWARD
B5912	7/1/20	Cintas Phila, PA	\$21,000.00	10-07-01-03-301401-61610 10-07-01-03-301401-68550	GSA #47QSWA18D000M

Staff Uniform Supply, Cleaning, and campus-wide floor mats for Facilities Dept.

B5949	7/1/20	Home Depot Credit Services Long Island City, NY	\$22,000.00	10-07-01-03-301401-61500	NJState Contract #18-Fleet-00234
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Building supplies for Facilities Dept.

B6019	7/1/20	Paper Mart Inc. East Hanover, NJ	\$21,000.00	10-06-01-03-301001-61002	Mercer Co. Co-Op #2019-318
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Stationery Supplies (paper) for Print Shop

B5995	7/1/20	Trenton Water Works	\$34,000.00	10-07-02-03-301402-68120 10-07-02-03-3014002-68130	Exemption: Public Utility
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Water and sewage for JKC campus

B6087	7/7/20	Edward Don & Co. Westampton, NJ	\$10,000.00	10-01-01-02-202604-61200	Exemption: Food
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Food and related supplies for HRIM program.

P12339	7/7/20	Accelerated Info. Systems, Inc. Hicksville, NY	\$11,230.00	10-06-01-06-301001-06672	MCCC RFQ #2101
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Purchase of Hello Sign e-signature software by the IT Dept. Purchased with CARES Act funding

P12342	7/7/20	Carolina Biological Supply Co. Charlotte, NC	\$23,653.00	10-06-01-03-301001-67210	Exemption: Emergency Declaration
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CHE 107 Lab kits for Chemistry Dept. Purchased with CARES Act funding.

P12343	7/7/20	Lighthouse Consulting, Inc. Coos Bay, OR	\$7,500.00	10-06-01-03-301001-64105	Exemption: Professional Services
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Preparation of Title III quarterly program narratives.

12345	7/7/20	Jersey Mail Systems Freehold, NJ	\$24,188.40	10-07-01-03-301404-69330	MCCC Bid #1809
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Mailing equipment leasing costs and electronic bulk mailing processing services.

P12349	7/7/20	Ricoh USA Inc. Phila, PA	\$21,864.00	10-07-01-03-301404-69330	NJSC #40467
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Estimated annual print overage payment at College's Print Shop for FY 21



MCCC PURCHASE ORDER REPORT  
 \$7,280.00 - \$36,400.00  
 DATE OF BOARD MEETING: September 17, 2020  
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P O.#	DATE	VENDOR	AMOUNT	BUDGET CODE	BASIS FOR AWARD
B6086	7/7/20	Wegmans Food Markets, Inc. Rochester, NY	\$9,500.00	10-01-01-02-202604-61200	Exemption: Food supply
HRIM program food supplies FY21.					
B6079	7/7/20	Dare Living Associates Franklinville, NJ	\$12,000.00	10-07-01-03-301401-68550	MCCC RFQ #2004
Road sweeping services FY21.					
B6084	7/7/20	YBP Library Atlanta, GA	\$15,000.00	10-04-01-02-200300-61172	Exemption: Library materials
. Textbooks purchase by Library for West Windsor Campus					
B6149	7/10/20	Graybar Electric Newark, NJ	\$10,000.00	10-07-01-03-301401-61550	NJ State Contract #85151
Electrical supplies for Facilities Dept.					
B6096	7/10/20	Cross Device Media Group Morristown, NJ	\$30,000.00	10-06-01-05-500120-66350	Exemption: Advertising
Online advertising promoting enrollment at the college.					
P12386	7/13/20	Phillips Healthcare Andover, MA	\$7,719.00	10-01-01-02-206220-69340	Exemption: Proprietary Item
Annual service contract payment for Essenta Digital Radiography machines for Radiography program.					
B6157	7/13/20	Fyr-Fyter Sales & Service Inc. Pennington, NJ	\$30,000.00	10-07-01-03-301401-68550	Mercer Co. Co-Op #CK09Mercer2019
Annual service contract for fire alarm system FY21.					
P12388	7/14/20	American Board of Funeral Service Woodbury Heights, NJ	\$7,500.00	10-01-01-02-203006-60001	Exemption: Professional Service
Membership fees for the ABFSE Accreditation for the College's Funeral Service program.					
P12401	7/14/20	Middle States Commission on Higher Education Phila, PA	\$15,197.00	10-06-01-03-301001-60001	Exemption: Professional Service
Annual membership					
B6158	7/14/20	Heath Lumber Co Ewing, NJ	\$10,000.00	10-07-01-03-301401-61500	Mercer Co. Co-Op #CK09Mercer2019
Building Supplies for Facilities Dept.					

MCCC PURCHASE ORDER REPORT  
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B6159	7/14/20	Hamilton Building Supply Co. Hamilton, NJ	\$10,000.00	10-07-01-03-301401-61500	Mercer Co. Co-Op #CK09Mercer 2020-02
Building supplies for Facilities Dept.					
B6166	7/14/20	Hannah Vendetta Hillsborough, NJ	\$15,000.00	10-06-01-05-500120-64110	Exemption: Advertising
Promotional content creator for Website and social media advertising for the Publications Dept.					
B6167	7/14/20	Positive Expectations Belmar, NJ	\$34,000.00	10-06-01-05-500120-66350	Exemption: Advertising
Digital marketing advertising promoting enrollment at the College.					
P12408	7/15/20	Digital Desk Inc. San Antonio, TX	\$11,050.00	10-01-01-03-301304-69713	Exemption: Proprietary Item
Annual payment for software used by Academic Testing Center to manage assessment operations and score student exams.					
P12417	7/16/20	Parchment Inc. Awards Scottsdale, AZ	\$13,125.00	10-06-01-03-301001-63100	Exemption: Diplomas and
Annual Subscription for diplomas and certificates including online transcript service center.					
P12418	7/16/20	KFT Fire Trainer Montvale, NJ	\$21,569.50	37-09-04-02-203009-64110	Exemption: Sole Source
Maintenance contract for Live Fire Training Systems at the College's Fire Academy practice house.					
B6174	7/16/20	Camden County Crematory Atco, NJ	\$7,500.00	10-01-01-02-203006-64105	Exemption: Professional Services
Funeral and cremation services for Funeral Service program.					
P12425	7/21/20	Science Interactive Group LLC Yulee, FL	\$18,594.00	10-06-01-03-301001-67210	MCCC RFQ #2108
BIO 113 Biology Lab kits for Biology Dept. Purchased with CARES Act funding.					
P12426	7/22/20	Dell Marketing Round Rock, TX	\$10,189.92	22-01-01-04-3602013-60120	NJSC #19TELE00656
Purchase of (8) Laptops and (8) cases for use by students in EOF program (EOF grant funding).					
B6186	7/22/20	LeadGood LLC Pennington, NJ	\$11,400.00	10-06-01-06-600100-64110	Exemption: Professional Services
Human Resources department Investigation Service					
B6185	7/22/20	Townsquare New Holdco, LLC	\$15,000.00	10-06-01-05-500120-66350	Exemption: Advertising New York, NY
Radio Advertising fees for the college					

MCCC PURCHASE ORDER REPORT  
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B6226	7/28/20	AAF International Doraville, GA	\$12,000.00	10-07-01-03-301401-61530	MCCC RFQ #2061
HVAC Filters for Facilities Dept.					
B6224	7/28/20	Atlantic City Electric Phila, PA	\$13,000.00	32-03-01-03-301501-68110	Exemption: Public Utility
Payment for electric power supply for WWFM Cape May communications tower. Funded by WWFM listener donations.					
B6223	7/28/20	Cengage Learning Farmington Hills, MI	\$15,300.00	10-04-01-02-200300-61171	Exemption: Library materials
Textbooks for the Literature Resource Center for College Library.					
P12462	7/30/20	Burlington English Boca Raton, FL	\$14,400.00	22-01-02-02-302022-61100	Exemption: Textbooks
Online learning and textbooks for ESL students. Purchased with NJDOL/Workforce funding.					
B6237	7/30/20	Galls, LLC Chicago, IL	\$10,000.00	10-06-01-03-301407-61610	NJSC #20-FOOD-00904
Employee Security Uniforms for College Safety Office					
P12472	8/5/20	Lighthouse Consulting Inc. Coos Bay, OR	\$9,000.00	21-01-01-02-302059-64105	Exemption: Professional Services
Title III annual external evaluation visit as required by U.S. Dept. of Education					
B6240	8/5/20	Trugreen LP Thorofare, NJ	\$34,151.25	10-07-01-03-301410-68550	MCCC RFQ #2056
Lawn Fertilization services for Facilities Dept.					
P12475	8/6/20	ePlastics San Diego, CA	\$14,625.00	10-06-01-03-301001-67210	Exemption: Emergency Declaration
Plastics to manufacture face guards and sneeze guards by the Advanced Manufacturing Dept. Materials purchased with CARES Act funding.					
P12488	8/10/20	Unified Door and Hardware Group Pennsauken, NJ	\$31,385.00	70-07-01-03-701268-76101	MCCC RFQ #2102
Replacement of exterior doors in the Communications Building.					
B6263	8/10/20	Vector Solutions Cincinnati, OH	\$11,360.00	10-06-01-06-600100-64110	Exemption: Professional Services
Employment training for use by the Human Resources Dept.					
B6254	8/10/20	New Directions Behavioral Health Kansas City, MO	\$14,576.64	10-06-01-03-301002-52107	MCCC RFQ #1919
Annual payment for the Employee Assistance Program for the Human Resources Dept.					

MCCC PURCHASE ORDER REPORT  
 \$7,280.00 - \$36,400.00  
 DATE OF BOARD MEETING: September 17, 2020  
 Budget lines beginning with "2" indicate grant funded

P O.#	DATE	VENDOR	AMOUNT	BUDGET CODE	BASIS FOR AWARD
B6273	8/18/20	Radio Visions Toms River, NJ	\$12,000.00	32-03-01-03-301501-64106	Exemption: Professional Services
WWFM Engineering Services. Funded by listener donations.					
P12534	8/20/20	Kyocera Phila, PA	\$19,234.00	10-06-01-03-301001-69350	NJSC #G2075
Quarterly service charges and copier Fleet maintenance for Kyocera copy/print workstation.					
B6280	8/20/20	Mobile Mini Inc. South Plainfield, NJ	\$8,000.00	10-07-01-03-301401-69350	MCCC RFQ #2024
Rental of storage trailer for Facilities Dept.					
B6279	8/20/20	FW Webb Co. Bedford, MA	\$10,000.00	10-07-01-03-301401-61540	MCCC RFQ #2104
Plumbing supplies for Facilities Dept.					
P12541	8/26/20	PowerSchool Group Folsom, CA	\$28,299.80	10-01-01-03-301304-69713	Exemption: Proprietary
Annual renewal of applicant tracking software for Human Resources Dept.					
P12549	8/26/20	American Public Media St. Paul, MN	\$8,916.24	32-03-01-03-301501-64110	Exemption: Sole Source
Affiliation and monthly radio programming and related carriage fees for WWFM funded by listener donations.					
P12563	8/26/20	HonorLock LLC Boca Raton, FL	\$10,075.00	10-01-01-02-200403-64110	Exemption: Professional Services
Online proctored exam services for Mercer Online. Funded by CARES Act.					
P12564	8/26/20	Capital Steel Products Inc. Trenton, NJ	\$9,800.00	10-07-01-03-301401-61500	Exemption: Emergency Declaration
Purchase and installation of new stair rails in Kelsey Theatre as a safety precaution.					
P12571	8/26/20	ProQuest LLC Ann Arbor, MI	\$10,672.00	10-04-01-02-200300-69724	Exemption: Library Materials
Purchase of Summon Library Discovery Tool for cataloging and data basing the library selection.					
B6286	8/26/20	Educational Computer Systems Inc. Atlanta, GA	\$35,000.00	10-06-01-03-301001-64420	Exemption: Debt Collection
E-commerce services including credit card processing and student tuition payment plan administration.					
P12573	8/27/30	Wolters Kluwer Health Phila, PA	\$14,017.52	10-01-01-02-206200-64110	Exemption: Proprietary Item
Purchase of VSim® Virtual Nursing software package for College Nursing Dept. students to complete clinical education remotely					



**Human Resources Office**

**To: Jianping Wang, President**  
**From: Barbara Basel, Vice President for Human Resources**  
**Date: August 31, 2020**  
**Re: Ratification of Appointments**

The following appointments have been made since June 18, 2020.

Effective Date of Hire	Department	Name	Title	Salary	Range	FLSA
September 8, 2020	Academic Affairs	Yannick Ladson	Senior Counselor	\$85,000.00	\$54,788 – \$97,199	Exempt
September 8, 2020	College Advancement	Cheryl McCormick	Executive Assistant	\$50,000.00	\$48,228 - \$77,940	Non-Exempt
September 28, 2020	Information Technology	Robert Monegro	Director of IT, Customer Services Operations	\$120,000.00	\$72,807 - \$131,531	Exempt
September 7, 2020	Student Services	Beth Knight	Senior Executive Assistant to the Dean of Enrollment Mgt. & Student Experience & Student Resolution & Advocacy	\$75,349.82	\$48,228 - \$77,940	Non-Exempt
September 7, 2020	President's Office Administration	Beth Brower	Special Assistant to the President and Liaison to the Board of Trustees	\$78,929.81	\$42,872 - \$85,269	Exempt



**Human Resources**

**September 2, 2020**

**To:** Barbara Basel, Vice President of Human Resources  
**From:** Jeby Mathew, Coordinator HRIS Operations, Human Resources  
**Subject:** Separation Report for July and August 2020

<b>Date</b>	<b>Name</b>	<b>Title Type*</b>	<b>Division EEO</b>		
07/10/2020	Dorothy Gasparro	Senior Counselor, Student Affairs-	Student Services	RS	F W
07/15/2020	Lori Cook	Administrative Specialist II,	Purchasing	TR	F W
07/24/2020	Margaret Tsui	Benefits Manager,	Human Resources	RS	F A
08/21/2020	Jason Taylor	Director of Financial Aid,	Financial Aid	RS	M B
08/24/2020	Eugenia Stoyanova	Financial Aid Advisor,	Financial Aid	RS	F W
08/31/2020	Patricia Venanzi	Administrative Specialist II,	Camp College	RT	F W
08/31/2020	Alice Chung	Financial Aid Officer,	Financial Aid	RT	F A

\*  
**RS - Resigned**  
**RT - Retired**

**Recommended and approved for presentation to the Board of Trustees**

\_\_\_\_\_  
 Barbara Basel, Vice President of Human Resources \_\_\_\_\_ Date

\_\_\_\_\_  
 Jianping Wang, President \_\_\_\_\_ Date



### **Pandemic Policy**

- A. PURPOSE.** This policy documents the authority of the College to act in order to maintain safe university operations during the declaration of a public health emergency, pandemic, or other serious public health threat and outlines the principles under which related directives and mandates will be enacted, communicated and implemented.
  
- B. APPLICABILITY.** All faculty, staff, administration, students, and other individuals accessing either the West Windsor campus, James Kerney campuses, and any other instructional sites.
  
- C. POLICY.** The Mercer County Community College Board of Trustees has the authority to direct the College Administration to take all actions necessary and expedient for the ongoing operations of the College and to create and/or revise bylaws, rules and regulations required. During times of public health emergency (as declared by federal, state or local authorities), the Board of Trustees, the President and College Administration will ensure that the College's operations are maintained in compliance with any applicable emergency order.

In addition to complying with College rules and regulations that may be adopted by the Board of Trustees from time to time, all faculty, staff, students and visitors must adhere to the provisions of this policy and any standard, operating procedure or campus rule promulgated under this policy.

In the event of a public health emergency due to a communicable disease emergency or pandemic, policies, standards and operating procedures (whether system-wide, campus-specific or unit-level) developed under this policy will be enacted, communicated and implemented in accordance with the following principles. All such mandates will:

1. Conform to applicable federal, state, and local laws, regulations, and orders (executive and public health).
2. Conform to any specific directives and procedures issued by the College and, if requested by the Board of Trustees, be timely presented to the Board for review and ratification.
3. Reflect feedback from stakeholder engagement to the extent practicable given the circumstances of the public health emergency.
4. Be communicated to all relevant College stakeholders through official channels of campus communications, including email, campus websites and local media.
5. Faculty, staff, students and contractors are expected to monitor the stated

communication so they remain informed. Faculty, staff and students who do not adhere to mandates promulgated under this policy, whether provisional or interim in nature, may be subject to appropriate discipline, up to and including termination or expulsion.

**D. PUBLIC HEALTH SAFETY PRACTICES:** Measures prescribed by public health officials as a way to prevent or curb the transmission of a communicable disease. The term includes a wide range of practices that vary depending on the nature of the disease, including but not limited to the following:

1. Hand washing
2. Wearing face covering or other protective gear
3. Social distancing/physical distancing
4. Utilizing protective equipment, such as plastic/glass barriers or plastic covers that can be changed between use
5. Cleaning/sanitizing shared workstations, desks, equipment, and the like
6. Disease testing
7. Vaccination
8. Quarantine

**E. ROLES AND RESPONSIBILITIES.** The Office of Human Resources (OHR) has put together detailed guidance for supervisors on COVID-19 precautions, the applicability of Family and Medical Leave Act (FMLA), use of sick time, prohibiting employees from coming to work, and sending people home. Generally, supervisors should encourage employees to stay home when sick, discourage public conversations about the health status of any employee, and continue to follow all applicable laws and policies. The College stresses the following guidance:

**1. Supervisors and Faculty should NOT:**

- a. Ask employees or student to disclose their personal health status or medical conditions.
- b. Discuss, question or list concerns regarding an employee's or student's symptoms or perceived medical condition publicly or in open spaces.
- c. Threaten the status of an employee's employment or a student's enrollment based upon recent travel or based upon their exposure to somebody who has travelled.
- d. Assume an employee or student has contracted COVID-19 upon return from travel. However, it is appropriate to explain to the employee that they should call the OHR for guidance and resources prior to returning to the



Campus. Explain to the employee that it is recommended that they practice social distancing, even if they are asymptomatic, for up to 14 days. Also, when possible, encourage a remote working arrangement during this period if possible. Questions regarding students should be referred to [simonej@mccc.edu](mailto:simonej@mccc.edu).

**2. Supervisors and Faculty SHOULD:**

- a. Discourage interoffice conversations that include negative comments about colleagues that blame them for the spreading of contagion, assume someone has COVID-19, mock those who have COVID-19 and/or disclose the personal health status and medical conditions of others.
- b. Send an employee home if they are exhibiting observable symptoms and/or behaviors in alignment with a severe cold, flu or COVID-19 or are otherwise “under the weather” in a manner that impacts their ability to successfully perform their duties. The College will follow [CDC guidance](#) regarding quarantine and/or isolation.
- c. Explain to employees that the guidelines to request to utilize sick leave and/or file a claim or report off under FMLA still apply. If an employee is unwell and/or required to practice social distancing and unable to work they should notify their direct supervisor and/or the OHR..
- d. Require employees that are returning from FMLA approved leave to provide their department with a Medical Release to Full Duty.
- e. Maintain any information in connection with an employee request for leave based upon a medical condition confidential in compliance with HIPAA requirements, and the Americans with Disabilities Act (ADA).
- f. Refer students to a licensed medical person or the college counselor with an LPC based upon HIPAA or ADA for when there is a medical condition confidential in compliance with HIPAA requirements, and the Americans with Disabilities Act (ADA).
- g. Encourage an educational and healthy workplace by promoting and requesting that employees and students adopt infection control practices in the workplace.
- h. Refer to the College’s website for more information.
- i. Refer to the College’s Procedure Website for specific procedures regarding pandemic, and standards and operating procedures (whether College-wide, or division-level)

**F. USE OF PERSONAL PROTECTIVE EQUIPMENT (PPE).** As part of the MCCC restart plan, and in accordance with NJ State requirements, all students, faculty and staff that are required to come to the West Windsor and/or James Kerney campuses must be wearing an appropriate face covering.

All members of the campus community and guests must be wearing an appropriate face covering at all times on campus, especially in areas where social distancing cannot be maintained. Any member of the campus community or guest that is not wearing an appropriate face covering will not be allowed on campus or asked to leave campus.

1. Face coverings must include the following characteristics:
  - a. Must completely cover both the nose & mouth
  - b. Cotton masks are preferred
  - c. Reusable, cotton masks should be cleaned daily by the wearer
  - d. Disposable surgical masks are permitted, but must be discarded properly after each use
  - e. Face coverings with valves are not permitted. These masks do not filter out exhaled air and could cause virus droplets to enter the air
  - f. Face covering must be free of damage and not have any tears or holes
2. Face covering that will not be allowed include:
  - a. Bandana
  - b. Masks with valves
  - c. Damaged or torn face covering
  - d. Napkins or paper towels
  - e. Gaiter

## **G. Physical Distancing Requirements**

1. Whenever possible, employees are to maintain a minimum of six (6) feet between themselves and other employees, students, or community members who are present.
2. Employees, in consultation with their supervisor, must ensure that their workspace is set up for physical distancing measures to the greatest extent possible.
3. All workspace restroom facilities must display signs that encourage frequent hand washing as guided by county, state, and federal public health agencies.
4. Until further notice, meetings should be conducted using remote means wherever practical. All necessary in-person meetings must follow physical distancing practices.
5. Individuals who believe they may have been exposed to COVID-19, or are experiencing symptoms such as fever, cough, shortness of breath, sore throat and body aches, or loss of taste or smell, should stay home; avoid close contact with others; and contact their primary health care provider.

#### **H. USE OF COLLEGE'S SYMPTOM TRACKER**

1. All students, faculty and staff reporting to campus MUST fill out the [Symptom Tracker form](#) every time they are coming to campus. Any person coming to campus that does not submit the Symptom Tracker form prior to arrival will be asked to leave campus immediately and be subject to potential disciplinary action.
2. The College will promulgate procedures regarding the Symptom Tracker that will be maintained and updated on a regular basis. The College will distribute the procedures to the College through the Website and Blackboard Learning Management System.

**I. QUARANTINE AND ISOLATION.** The College will exercise quarantine and isolation only when and so long as the public health is endangered, all other reasonable means for correcting the problem have been exhausted, and no less restrictive alternative exists. (See [CDC Guidance](#))

**J. ENFORCEMENT:** Compliance this policy is mandatory.

1. Employees: Any employee found to have violated, intentionally or unintentionally, this policy may be subject to performance feedback or disciplinary action, up to and including termination of employment.
2. Students: Failure to comply with campus signage or a verbal directive from campus personnel not limited to social distance, wearing of a protective face mask, personal protective equipment required by the course syllabus, congregating in common areas and parking lots, a 14 day quarantine period due to exposure and/or at stay home order following a positive test, is a violation of the Student Code of Conduct.
  - a. First Violation = Student receives a written warning notice, suspending campus access (14days), restricted to remote access only. Student may be reinstated, after the 14th day with letter of petition to have campus access;
  - b. Second Violation = Student campus access is suspended for the balance of the semester, restricted to remote access only, up to/and including suspension from all classes.
  - c. Third Violation = Student jeopardizes enrollment, up to/and including suspension from classes and campus for the balance of the academic year and/or Expulsion from the college.
3. No refunds of tuition will be granted to students serving a Suspension. Students on federal and state aid will need to be mindful of a loss of aid, and fund balances which must be paid to the college prior to reinstatement.
4. Additional related student code of conduct violations may apply.



## OPERATING MANUAL OF THE BOARD

### Reasonable Accommodations under the Americans with Disability Act (ADA) Policy

#### **Policy - Reasonable Accommodations under the Americans with Disability Act (ADA)**

- A. PURPOSE.** Mercer County Community College (MCCC) is committed to providing reasonable accommodations to its employees and applicants for employment to ensure that individuals with disabilities enjoy equal access to all employment opportunities. Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 requires employers receiving federal assistance to provide reasonable accommodations for qualified employees or applicants with disabilities, unless to do so would cause undue hardship. This Policy, and the accompanying Procedures, fully comply with the ADA and Rehabilitation Act of 1973, which require employers to establish procedures to facilitate the provision of reasonable accommodation for eligible employees and applicants.
- B. APPLICABILITY.** All employees of MCCC.
- C. Definition of Key Terms.**
- 1. Disability:** To be eligible for a reasonable accommodation, an individual must either have a physical or mental impairment that substantially limits a major life activity, or must have a record (a history) of a physical or mental impairment that substantially limited a major life activity. An individual who is only regarded as having a disability is not entitled to reasonable accommodation. Determination of disability will comply with the requirements of the Americans with Disabilities Act

Amendments Act of 2008 (ADAAA) which requires a broad interpretation of the term and generally does not require an extensive analysis.

2. **Essential Functions:** Essential functions are those job duties that are fundamental to the position that the individual holds or desires. The term "essential functions" does not include marginal functions of the position. "Marginal functions" are those job duties that are less important or critical to the success or failure of the specific position. A function can be "essential" if, among other things: the position exists to perform the function; a limited number of other employees are available to perform the function; or the function is highly specialized and the individual is hired based on her having those specialized skills. Evidence of whether a particular function is essential includes:

- i. MCCC's judgment (generally a supervisor's, manager's and/or office director's judgment in consultation with Human Resources)
- ii. a written position description developed before a job is advertised
- iii. the amount of time spent performing the job tasks of the position
- iv. a physical job description relative to essential duties of the job
- v. the consequences of not requiring the person in the position to perform the function
- vi. the terms of a policy and/or agreement
- vii. the work experience of past incumbents in the job or current incumbents in similar jobs

Determination of whether a particular function is essential must be done on a case-by-case basis because the duties of a specific job may deviate from what is indicated in a position description or from the duties of employees holding a similar job.

3. **Extenuating Circumstances:** Factors that could not reasonably have been anticipated or avoided in advance of the request for accommodation or limited situations in which unforeseen or unavoidable events prevent prompt processing and delivery of an accommodation. (e.g., identified software such as a Screen Reader is not compatible with existing equipment).

4. **Health Care or Rehabilitation Professional:** A person who has completed a course of study and is licensed to practice in a field of health care, which includes the diagnosis and assessment of the particular disability or disabilities in question.

5. **Interactive Process:** The interactive process refers to an information-gathering approach used by an employer with the employee

to evaluate a request for accommodation. It is intended to be a flexible approach that centers on the communication between an employer and the individual requesting reasonable accommodation, but may (and often does) involve obtaining relevant information from a supervisor and an individual's health care provider. This process begins upon receipt of an oral or written request for reasonable accommodation. The designated ADA Coordinator (ADAC) within Human Resources is the person who will decide whether to grant or deny a reasonable accommodation. The ADAC will engage MCCC in the interactive process with the requestor and other relevant individuals (e.g., a supervisor, a requestor's health care provider) to collect whatever information is necessary to make an informed decision about whether the requestor is covered as an individual with a disability; and, if so, whether the requestor qualifies for an accommodation(s). If the employee is qualified to receive a reasonable accommodation, the ADAC will determine what reasonable accommodation(s) will effectively eliminate the barrier identified by the requestor and permit an equal opportunity to apply for a job, to perform a job, or to gain access to the workplace, or to enjoy access to the benefits and privileges of employment. Reasonable accommodations are intended to support an eligible employee in performing the essential functions of their position and not supplant such essential functions.

6. **Interim Accommodation:** Any temporary or short-term measure put in place until a granted accommodation is available.

7. **Invisible/Hidden Impairments:** Disabilities or conditions that are not obviously apparent or visible, such as asthma, arthritis, chronic fatigue syndrome, epilepsy, kidney disease, diabetes, cancer, HIV infection, chronic depression, learning disabilities, autism spectrum disorder, and mild intellectual disability.

8. **Major Life Activities:** Major life activities include activities such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. Major life activities also include the operation of major bodily functions, including functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.

9. **Mental Impairment:** Any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness

(major depression, bipolar disorder, anxiety disorders), schizophrenia, and specific learning disabilities.

10. **Physical Impairment:** Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body systems such as: neurological, musculoskeletal, special sense organs, cardiovascular, reproductive, digestive, immune systems, respiratory, genitourinary, hemic, circulatory and lymphatic, skin, normal cell growth, and endocrine system.

11. **Qualified:** An individual with a disability is qualified for the position that such individual holds or desires if the individual:

- a. satisfies the requisite skill, experience, education, and other job-related requirements of the position, and
- b. can perform the essential functions of the position, with or without reasonable accommodation.

12. **Reasonable Accommodation:** A reasonable accommodation is any change in the workplace or in the way things are customarily done that provides an equal employment opportunity to an individual with a disability. The MCCC provides reasonable accommodation

- a. when an individual with a disability needs an accommodation to have an equal employment opportunity in the application process;
- b. when an employee with a disability needs an accommodation to perform the essential functions of the job held or desired, or to gain access to the workplace; and
- c. when an employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., details, trainings, office-sponsored events). If there are several effective and reasonable accommodations that would provide an equal employment opportunity, or if the employee or applicant with a disability prefers to provide his or her own accommodation, the employee's or applicant's preference will be given first consideration. However, the ADA permits the MCCC to choose among effective and reasonable accommodations, and it may choose one that is less expensive or easier to provide, even though it might not be the employee's or applicant's preferred accommodation.

13. **Reassignment:** Reassignment is a form of reasonable accommodation. It may be provided to an employee (not an applicant) who, because of a disability, can no longer perform the essential functions of her current job, with or without reasonable accommodation. A reassignment is made only to a vacant position that the MCCC has authorized to be filled at the

time of the accommodation request and intends to fill. Where possible, reassignment is to an equivalent position, but if no equivalent position is available, may be to a lower level position that is as close as possible to the employee's current position. If the employee is qualified for such a position and the College chooses to offer it as an accommodation, the employee will be reassigned to the new job and will not have to compete for it.

14. **Undue Hardship:** Undue hardship means that an employer would incur significant difficulty or expense in providing a certain reasonable accommodation. The Rehabilitation Act does not require the MCCC to provide a reasonable accommodation that causes an undue hardship. Determination of undue hardship is *always* made on a case-by-case basis, considering such factors as the nature and net costs of the accommodation, the overall financial resources of the MCCC, and the impact of the accommodation on the operation of the College, including the impact on the MCCC's ability to conduct business. Most undue hardship assessments involve non-financial considerations, such as the timely performance of job duties and the ability to effectively serve the public. The MCCC must consider the resources of the College as a whole, not simply the budget of a specific office, when determining whether an accommodation imposes significant cost; however, the MCCC does not have to include any funding that is designated for a specific purpose that does not include provision of reasonable accommodation.

#### **D. ROLES AND RESPONSIBILITIES.**

##### **1. Vice President for Human Resources (VPHR)**

- i. Reviews requests for reconsideration;
- ii. Issues final decisions within 15 business days from the date the request for reconsideration is received; and,
- iii. Designates another MCCC staff member as a substitute for the ADAC when the ADAC is unavailable for any extended length of time.

##### **2. ADA Coordinator (ADAC)**

- i. Coordinates and manages the reasonable accommodation program for the College;
- ii. Administers the reasonable accommodation program by reviewing requests for employees and applicants for completeness; assessing requests to determine whether the individual meets the definition of an individual with a disability and needs the accommodation requested; initiating the interactive



process with the requesting employee and appropriate officials; issuing timely decisions granting or denying accommodation requests; and, implementing granted accommodations;

- iii. Obtains and evaluates documentation supporting an accommodation request (such as medical information) when the disability and/or need for accommodation is not obvious;
- iv. Works with the employee's supervisor to ensure that any accommodation, if appropriate, meets the individual's disability-related needs, does not entail eliminating essential functions of the position, is feasible, and does not pose an undue hardship;
- v. Works with applicants with disabilities who need accommodation to apply for or be interviewed for a job;
- vi. Makes the final decision on each request; and,
- vii. Administers the College budget to cover all costs associated with providing reasonable accommodations, including sign language interpreters, furniture, technology, and other significant purchases.

**3. Employee and Applicant with a Disability:**

- i. Notifies the MCCC of a need for accommodation;
- ii. Cooperates in the interactive process throughout the reasonable accommodation process (failure on the part of the employee or applicant to cooperate in the interactive process may result in a denial of the reasonable accommodation request);
- iii. Promptly provides any requested medical information about the disability, limitations, and need for accommodation to the ACAC Coordinator; and,
- iv. Submits any requests for reconsideration on reasonable accommodation decisions within ten (10) business days to the VPHR or designee.

**4. Immediate Supervisor:**

- i. Immediately forwards requests for reasonable accommodation to the ADAC (as soon as practicable, preferably within 2 business days);
- ii. Clarifies with the individual whether reasonable accommodation is requested if the nature of the initial communication is unclear;

- iii. Participates in the interactive process to ensure that any accommodation meets the individual's accommodation needs and enables the individual to perform the essential functions of the position; and,
- iv. Is familiar with these Procedures as well as other MCCC programs and resources available to employees.
- v. Maintains strict confidentiality on personal health information of the employee and work status.

## **E. REASONABLE ACCOMMODATION PROCEDURES**

### **1. Requesting Reasonable Accommodation**

Generally, an applicant or employee must inform the MCCC of a need for an adjustment or change concerning some aspect of the application process, the job, or a benefit of employment for a reason related to a medical condition. An individual need not have a particular accommodation in mind before making a request. An applicant or employee may request a reasonable accommodation at any time, orally or in writing. A request does not have to include any special words, such as "reasonable accommodation," "disability," or "Rehabilitation Act." A request is any communication in which an individual asks or states a need for the MCCC to provide or to change something because of a medical condition. A person does not have to specify a particular accommodation although it is helpful if he or she can suggest one. It is sufficient for the individual requesting accommodation to state that some sort of change or assistance is required. The immediate supervisor, or the ADAC should ask an individual whether they are requesting a reasonable accommodation if the nature of the initial communication is unclear.

An employee should request a reasonable accommodation directly from the ADAC since this is the staff person who will handle the request. An employee who prefers to submit the request to someone other than the ADAC may submit it to a supervisor or manager in the employee's chain of command.

While there are some things that are not considered reasonable accommodations (e.g. removal of an essential job function or provision of personal use items such as a hearing aid that is needed on and off the job), reasonable accommodations can enable an individual to apply for a job, perform a job, or have equal access to the workplace and employee benefits including office common areas, parking lots, and office events.

2. The MCCC will process requests for reasonable accommodation and will provide reasonable accommodations where appropriate, in a prompt and efficient manner in accordance with the time frames set forth in the Procedures applicable to this Policy.

#### **F. Relation of Procedures to Statutory and Collective Bargaining Claim**

These Policies and Procedures do not limit or supplant statutory protections for persons with disabilities and the remedies they provide for the denial of requests for reasonable accommodation. Requirements governing the initiation of statutory claims remain unchanged, including the time frames for filing such claims.

#### **G. Contacting the ADAC and Distribution of These Procedures**

*Any employee or applicant* wanting further information concerning this Policy or related Procedures or otherwise seeking to request an accommodation directly from the ADAC may e-mail [hr@mccc.edu](mailto:hr@mccc.edu). The Policy and Procedures shall be distributed to all employees upon issuance. They also will be posted on the MCCC's Intranet and Internet sites, and will be available in the Human Resources Office. They will be distributed to all new employees as part of their orientation on their first day of work. These Procedures will be provided in alternative formats when requested from the ADAC by, or on behalf of, any MCCC employee.

PURCHASING POLICY  
OMB 311

1. All purchases, contracts or agreements for the performance of any work or the furnishing of any materials or supplies shall be made or awarded according to the provisions of the County College Contracts Law, N.J.S.A. 18A:64A-25.1 et seq. and N.J.S.A. 19:44A-20.4 et seq.

1b. Consistent with UGG, 2 C.F.R. § 200.213, Purchasing will ensure vendor verification of all required vendors participating in federally funded projects with the college. This is to ensure that all vendors participating in these programs were not suspended, debarred or disqualified from participation with such federally funded programs. The list of vendors suspended, debarred or disqualified is listed on the website [www.sam.gov](http://www.sam.gov). Purchasing will add a form to note verification process has occurred. Results kept with other purchasing documents.

1c. In addition to the state law and to comply with the provisions of the federally mandated Stevens Amendment, all bid solicitations and related purchasing documents will include the percentage of the project funded by federal dollars and the percentage funded by non-governmental sources. In addition, all required documentation will include the total amount of federal dollars for said project. This is required for projects of the Department of Labor (DOL), Health and Human Services (HHS) and Education.

2. The President is authorized to establish procedures for the approval of purchases below the threshold for formal quotations established in said statute. All such purchases are subject to periodic review by the Board of Trustees.

3. Purchases above the quotation threshold but under the bidding threshold established in said statute, or pursuant to a State purchasing contract, shall be submitted to the Board of Trustees for formal review and ratification at the very next meeting following the purchase. The President shall prepare for the board an itemized list with explanatory remarks. Board review and comment shall be formally documented in the minutes of said meeting. Consistent with the above, internal procedures for such purchases shall be established and monitored by the President.

4. Whenever possible, the Board of Trustees shall be informed of any prospective purchase pursuant to State contract which exceeds the bidding threshold. Purchases or contracts which exceed the bidding threshold, or which are not made pursuant to State contract, shall be awarded by Board resolution unless the emergency provisions of paragraph 5 of this section are invoked. Consistent with the above, internal procedures for such purchases shall be established and monitored by the President.

5. Emergency purchases over the bidding thresholds shall be accomplished according to the procedure set forth at N.J.S.A. 18A:64A-25.6 and shall be approved by the President and submitted in writing with a rationale to the Board of Trustees for approval at its next meeting.

6. No less than ten (10) business days prior to award of a contract approved by the Board of Trustees, the bidder shall submit a copy of its Business Registration Certificate issued by the

New Jersey Department of Treasury, Division of Revenue. The bidder has to obtain a Business Registration Certificate prior to the receipt of bids.

7. The President may prescribe the form and manner in which all contracts for performing work or for furnishing materials shall be made and executed, and the form, manner and execution, and approval of all guarantee, indemnity, fidelity and other bonds which may be required.

8. An approved requisition and a signed purchase order is required for the procurement of all goods and services by the College. The only exception is when a vendor will not accept a purchase order or check charged to a purchase order. Unauthorized purchases will not be approved by the College, and the invoices and materials/items pertaining thereto will be promptly returned to the vendors. These procedures apply regardless of the source of the funds.

9. Employees responsible for purchasing must adhere to this policy and must follow all applicable procedures. Violations of this policy and applicable procedures could result in disciplinary action up to and including termination.

Approved:

Board of Trustees

June 13, 1973

Revised:

February 21, 1980

January 26, 1985

July 30, 1987

May 18, 1989

July 18, 1991

January 20, 1994

November 17, 2005

April 20, 2006

April 22, 2010

October 20, 2016

September 17, 2020



To: Mark Carmichael,  
Vice President of Finance and Administration

From: Bryon K Marshall,  
Director of Facilities and College Safety

Date: August 01, 2020

Subj: Reportable Crimes, Fires, and Other Emergencies As Required By S-485/A  
1976 Law the Cunningham/ Ruiz Bill

Mr. Carmichael:

In accordance with S-485/A-1976 law the Cunningham/ Ruiz Bill requiring presidents of public institution of higher education to regularly report on-campus criminal and fire events to the institution's governing board I have the following to report.

For the calendar month of July 2020. One "Noteworthy Incident" constituted a reportable offense-crime(s), fires, and other emergencies occurred on campus and was recorded by campus security at this time.

**Incident: Possible Harassment Offense**

July 1, 2020 - West Windsor Campus: A person identifying as a student of MCCC reported receiving threats of physical violence. The nature of the threats were based on comments that were made with respect to views on current political and civil rights issues.

The incident was reviewed and the person allegedly receiving the threats proved not to be officially affiliated with the College. The person was advised to follow up with his local police authorities. The Office of Student Services Assistant Dean John Simone and Widmarc Dalce Coordinator of Student Development were advised.

**Incident: Possible Sexual Harassment**

July 28<sup>th</sup>, 2020 – West Windsor campus: The Title IX team received a complaint regarding the content of an email that was sent from a faculty member to other members of the campus community. The email was reviewed by the Title IX team. As it did not rise to the level required for a full Title IX investigation, the matter was turned over to Human Resources who will assess if there is any violation of College policies and work with the individual's supervisor for coaching/counseling/reprimand.

MCCC Board of Trustees  
Meeting Minutes 09/17/20  
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In accordance with S-485/A-1976 law the Cunningham/ Ruiz Bill requiring Presidents of public institution of higher education to regularly report on-campus criminal and fire events to the institution's governing board I have the following to report.

Respectfully Submitted.

Bryon K. Marshall, Executive Director  
Facilities and College Safety,  
Mercer County Community College



To: Mark Carmichael,  
Vice President of Finance and Administration and CFO

From: Bryon K Marshall,  
Exec. Director of Facilities and College Safety

Date: September 01, 2020

Subj: Reportable Crimes, Fires, and Other Emergencies As Required By S-485/A  
1976 Law the Cunningham/ Ruiz Bill

Mr. Carmichael:

In accordance with S-485/A-1976 law the Cunningham/ Ruiz Bill requiring presidents of public institution of higher education to regularly report on-campus criminal and fire events to the institution's governing board I have the following to report.

For the calendar month of August 2020 the following reportable offense-crime(s), fires, and other emergencies occurred on campus and was recorded by campus security at this time.

**Incident #1: Trespassing**

August 5, West Windsor Campus: A person was discovered showering in the Men's Locker room. The matter was forwarded to John Simone, Assistant Dean of Student Services, and Widmarc Dalce, Coordinator of Student Development, for review and action. The male was issued a Notice of Violation of the Code of Conduct and was advised to not trespass on College property.

**Incident #2: Title IX Offense.**

August 17, off Campus location: The Office of The Title IX Coordinator related that a student was groped while assigned to complete training at an off campus facility. The Title IX Coordinator is conducting the investigation and review of this matter.

Respectfully Submitted:

Bryon K. Marshall, Executive Director  
Facilities and College Safety,  
Mercer County Community College