

HUDSON COUNTY COMMUNITY COLLEGE
Mary T. Norton Room
70 Sip Avenue, 4th Floor
Jersey City, NJ
5:00 P.M.

Regular Meeting--Board of Trustees
December 3, 2013

AGENDA

- I. CALL TO ORDER - FLAG SALUTE** Mr. Netchert
- II. ROLL CALL AND RECOGNITION OF VISITORS**

Trustees:

Kevin G. Callahan
Karen A. Fahrenholz, Secretary/Treasurer
James Fife
Glen Gabert - President
Ramsey Olivencia, Student Alumni Representative
Roberta Kenny
Joanne Kosakowski
Bakari Gerard Lee, Vice Chair
William J. Netchert, Chair
Jeanette Peña
Adrienne Sires
Alfred Zampella

- III. COMMENTS FROM THE PUBLIC** Mr. Netchert
- IV. CLOSED SESSION** (The Board of Trustees will determine whether there is a need to go into closed session at the beginning of the meeting and, if there is such a determination, an announcement will be made as to where the session will be placed on the agenda.)
- V. AWARDS, RECOGNITIONS AND SPECIAL REPORTS**
- VI. REGULAR MONTHLY REPORTS AND RECOMMENDATIONS** Dr. Gabert
1. Minutes of Previous Meetings
2. Gifts, Grants, and Contracts
- VII. FISCAL, ADMINISTRATIVE, LEASE, AND CAPITAL RECOMMENDATIONS** Dr. Gabert
- VIII. PERSONNEL RECOMMENDATIONS** Dr. Gabert
- IX. ACADEMIC AND STUDENTS AFFAIRS** Dr. Gabert
- X. NEW BUSINESS** Mr. Netchert
- XI. ADJOURNMENT** Mr. Netchert

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

CALL TO ORDER

I. FLAG SALUTE

II. ROLL CALL AND RECOGNITION OF VISITORS

Trustees:

Kevin Callahan	<u>PRESENT</u>
Karen A. Fahrenholz	<u>PRESENT</u>
James Fife	<u>PRESENT</u>
Glen Gabert - President, ex officio	<u>PRESENT</u>
Ramsey Olivencia, Student Alumni Representative, ex officio	<u>PRESENT</u>
Roberta Kenny	<u>PRESENT</u>
Joanne Kosakowski	<u>PRESENT</u>
Bakari Lee	<u>PRESENT</u>
William J. Netchert	<u>PRESENT</u>
Jeanette Peña	<u>PRESENT</u>
Adrienne Sires	<u>PRESENT</u>
Alfred Zampella	<u>PRESENT</u>

This meeting is called in conformance with the "Open Public Meetings Act." A notice of the meeting of the Board of Trustees was transmitted to all Board members, advertised in The Jersey Journal, The Star Ledger, filed with each Office of the Hudson County Municipal Clerks, and posted on the Public Bulletin Boards of the Hudson County Community College at 25 Journal Square, 70 Sip Avenue, Jersey City, New Jersey and at the North Hudson Higher Education Center, Union City, New Jersey stating the date, time and place of said meeting.

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

III. COMMENTS FROM THE PUBLIC

Dr. Lloyd Kahn, Professor of Life Science and President of the Professional Association referenced a news article he saw on the internet and in The Chronicle regarding Math, Science & Engineering which he considered disturbing. He indicated that HCCC would not be able to compete in the international market without allowing faculty to come up with innovative ways for teaching. Dr. Kahn also stated he hoped the faculty union contract would be projected within the next three years.

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

IV. CLOSED SESSION

None

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

V. AWARDS, RECOGNITIONS AND SPECIAL REPORTS

President Gabert and Eric Friedman spoke about the College community being diminished by the deaths of two former employees who made significant contributions over the years: David Rosenthal, Professor Physics who worked at HCCC from 1985 to 2012 and Georgia Brooks, Academic Lab Manager, who worked at HCCC from 1986 to 2011.

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

VI. REGULAR MONTHLY REPORTS AND RECOMMENDATIONS

1. MINUTES OF PREVIOUS MEETINGS

The Minutes of the Regular Meeting of October 15, 2013 are herewith officially submitted to the Board Trustees for approval. (Attachment A)

Recommendation:

It is the recommendation of the President that the Board of Trustees accept the Minutes of the Regular Meeting of October 15, 2013 .

2. GIFTS, GRANTS, AND CONTRACTS REPORT

The College has made the following grant & contract proposals:

TITLE:	Bridges to the baccalaureate
AGENCY:	National Science Foundation
PURPOSE OF GRANT:	The College has submitted a proposal to the NSF as part of consortium to promote research activities for STEM students in an effort to better prepare them for STEM studies after transfer to a four year college or university.
COLLEGE ADMINISTRATOR:	Ryan Martin
COLLEGE CONTRIBUTION:	0
REQUESTED AWARD AMOUNT:	\$ 249,000

RESOLUTION: Now, therefore, be it resolved that the Board of Trustees accept Item VI. Regular Monthly Reports and Recommendations #1 and #2.

INTRODUCED BY: Bakari Lee

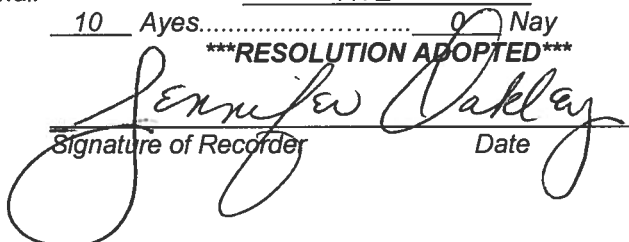
SECONDED BY: Karen Fahrenholz

DATE: December 3, 2013

Callahan, Kevin	<u>AYE</u>
Fahrenholz, Karen	<u>AYE</u>
Fife, James	<u>AYE</u>
Kenny, Roberta	<u>AYE</u>
Kosakowski, Joanne	<u>AYE</u>
Lee, Bakari	<u>AYE</u>
Peña, Jeanette	<u>AYE</u>
Sires, Adrienne	<u>AYE</u>
Zampella, Alfred	<u>AYE</u>
Netchert, William, Chair	<u>AYE</u>

10 Ayes..... 0 Nay

*****RESOLUTION ADOPTED*****

 12 -3-13
Signature of Recorder Date

ATTACHMENT A
ITEM VI - REGULAR MONTHLY REPORTS #1

HUDSON COUNTY COMMUNITY COLLEGE
Board of Trustees Meeting
North Hudson Higher Education Center
4800 Kennedy Boulevard
Union City, NJ

REGULAR MEETING --- BOARD OF TRUSTEES
October 15, 2013
MINUTES

PRESENT: Karen Fahrenholz, (Secretary/Treasurer), James Fife, Glen Gabert, (ex officio), Bakari Lee, William Netchert, Jeanette Peña, and Alfred Zampella

Counsel to the Board: Sheri Seigelbaum, Esq. for Scarinci & Hollenbeck

ABSENT: Shannon Marie Gallagher, (ex officio), Roberta Kenny, Joanne Kosakowski, Adrienne Sires, and Katia Stack

HCCC Staff and Visitors present were Dennis Hull, John Delooper, Ben Dineen, Jennifer Dudley, Lloyd Kahn, Frank Mercado, Randi Miller, Pat Moore, Jennifer Oakley, Paula Pando, Laurie Riccadonna, Carol Van Houten, Christopher Wahl, and Marcella Williams.

I. CALL TO ORDER - FLAG SALUTE 5:00 PM

II. ROLL CALL AND RECOGNITION OF VISITORS

The regular meeting was called to order by William Netchert, Chair at 5:00 p.m. and roll called by Jennifer Oakley.

III. COMMENTS FROM THE PUBLIC - None

IV. CLOSED SESSION - None

V. AWARDS, RECOGNITIONS AND SPECIAL REPORTS

- 1) Dr. Gabert read a statement regarding the gift of art collection, which includes at least two hundred and thirty works of contemporary art, from Ben Dineen and Dennis Hull.**

Statement regarding the Dineen/Hull Gift
October 15, 2013 Board Meeting

Tonight the Administration with the concurrence of the Facilities Committee makes two recommendations for action by the full board of trustees under the category of new business.

The first recommendation concerns the acceptance of a significant gift-in-kind for the art College Art Collection; and the second, the naming of a space in the new Library/Classroom Building.

Benjamin Dineen and Dennis Hull are long-time supporters of the College. Dineen's career includes work in art galleries, banking and in non-profit agencies. Hull retired after a distinguished teaching career in public education and subsequent work in arts administration at Rutgers University. They have been actively involved in the College's arts program since its inception. Dineen has served as chair of the HCCC Foundation Art Committee, and he has also been an advisor to the academic curriculum committee in

the fine arts. Dineen and Hull have been consistent supports of the College art collection through generous financial contributions and gifts-in-kind. Over the years they have worked with our faculty and students on many arts related projects.

They now present to the College a significant part of their personal art collection, at least 230 pieces. The gift is comprised largely, but not exclusively, of works-on-paper. It tends to focus on regional and emerging artists though it includes works by well established artists as well. Included are the works of prominent New Jersey artists, women, gay and lesbian, African American and other minority artists. The gift supplements, compliments, and strengthens the College's existing collection. It will serve as a catalyst for attracting future external support for the collection.

In addition, the gift will be an asset as the College expands its curriculum in the arts and related fields. The gift will provide a unique asset for classroom instruction. The gift will promote the College's goal to make all of its public facilities art galleries and to make HCCC a nexus for the promotion and celebration of the fine arts in Hudson County.

The second recommendation that is being made for your action tonight is the naming of the gallery space in the Library/Classroom Building after Ben Dineen and Dennis Hull. It is brought to you as a separate resolution from the acceptance of the gift because the Administration wishes to underscore that the naming is made not only in recognition of their wonderful gift to the College but also in celebration of their exemplary lives of public service to our community.

Before you take action on these resolutions, Dean Christopher Wahl will tell a little more about how this gift will enhance the academic programs at the College and then Professor Laurie Riccadonna will tell you how this gift will strengthen the learning experience for our art students.

- 2) *Chris Wahl, Dean of Arts and Sciences, spoke about how the art collection will enhance the Associate in Fine Arts Program and certificate programs.*

Statement regarding the Dineen/Hull Gift
October 15, 2013 Board Meeting

Thank you Dr. Gabert. Good evening members of the Board and college community. As Dr. Gabert mentioned, this gift will enhance Associate of Fine Arts programs, the College expands its offerings.

The Humanities division is in the beginning stages of developing an Art History option off of the current AFA trunk program and is exploring the possibility of a curatorial assistant certificate. These programs will be accompanied by the development of several new courses focusing on the understanding of art, its history, and the role of visual art as a societal force. Students would benefit from the proximity to collections at New York museums and the growing arts community in Hudson County; they would also enjoy unprecedented access to one of the premier collections in the county.

In the same way that our culinary students are presented opportunities by having a first-rate conference facility on campus, our fine arts students will enjoy the benefits of working and studying in close proximity to a vastly expanded collection.

The Dineen/Hull gift will allow for Hudson County Community College to be an arts destination for the county. The noncredit branch is currently exploring the feasibility of art appreciation classes for the community. Student art shows and sales will soon complement artist talks and other events associated with the collection. In short, the gift from Benjamin Dineen and Dennis Hull will catalyze exciting expansion of academic offerings at Hudson County Community College. Now I would like to introduce Laurie Riccadonna, coordinator of the AFA in Studio Arts, to speak on the benefit the gift will have for faculty and students, teaching and learning in the classroom.

- 3) *Laurie Riccadonna, Coordinator/Associate Professor of Fine Art, commented on how students will benefit from the art collection and shared her experience about her collaboration with Ben Dineen.*

Statement regarding the Dineen/Hull Gift
October 15, 2013 Board Meeting

Thank you Dean Wahl, Dr. Gabert and the board for this opportunity to offer my comments regarding this generous donation of art.

As both Dr. Gabert and Dean Wahl have mentioned this donation will have a tremendous impact within the college community and specifically within the Fine Art Department.

This donation will strengthen the art curriculum in new and exciting ways. As mentioned, it will certainly offer opportunity for new degree options and certificates. Its visible presence will not only enliven and enrich our college community but it will also challenge and stimulate our students in their daily campus life.

In the classroom, this collection can be used in a variety of ways as an educational tool: Students will have the opportunity to view works of art in person. Students will have access to an extraordinarily diverse collection in which they can:

- Explore and expand their knowledge of contemporary art and artists
- Observe techniques and skills taught in our studio classes
- And, most importantly, students will discuss the meaning and content of these images, enabling them to expand their critical thinking skills
- These critical thinking skills will certainly transfer to other content areas and impact their learning across the curriculum

As an art educator, the significance and importance of this donation is that it demonstrates to our students that art is an important and vital component to their intellectual life.

It will challenge and engage our students by exposing them to new ideas, encouraging them to think independently and creatively about their work and their world.

As a professor and coordinator of the Fine Art Department I have had the opportunity to work with Ben Dineen on a variety of college initiatives. These initiatives have ranged from off campus student art exhibitions, jurying the Foundation Art Awards, to his

membership on the Fine Art Advisory Committee. In all of my work with Ben his generosity has always been a significant contribution to each endeavor.

On behalf of the Fine Art Department, I would like to offer my sincere thanks for this donation and I look forward to the exciting opportunities in teaching and learning that this donation represents.

VI. REGULAR MONTHLY REPORTS AND RECOMMENDATIONS

1. *The Minutes of the Regular meeting of September 17, 2013.*
2. *Gifts, Grants and Contract Reports*

The College has made the following grant & contract proposals:

*TITLE: Transitional College Summer Bridge Program
AGENCY: PNC Foundation
PURPOSE OF GRANT: The College has submitted an application to the PNC Foundation requesting funding for the summer bridge program.
COLLEGE ADMINISTRATOR: Ryan Martin
COLLEGE CONTRIBUTION: 0
REQUESTED AWARD AMOUNT: \$ 21,248*

*Introduced by: Bakari Lee
Seconded by: Karen Fahrenholz
6 Ayes.....0 Nays Resolution Adopted*

VII. FISCAL, ADMINISTRATIVE, LEASE, AND CAPITAL RECOMMENDATIONS

- 1) *Award to Provide Consultant Services for Middle States Periodic Review Report;*
- 2) *Award to Provide Assessment Software Training Services;*
- 3) *Amendment of Resolution for the Total Cost for Media Services for Billboard Advertisement for FY 2014;*
- 4) *General Counsel Services for 2014;*
- 5) *Real Estate Counsel Services 2014;*
- 6) *Renewal of Parking Agreement with Municipal Parking with the Town of West New York for FY 2014;*
- 7) *Renewal of Parking Agreement for North Hudson Education Center For FY 2014 and*
- 8) *Report of the Facilities Committee for Construction Oversight.*

*Introduced by: James Fife
Seconded by: Bakari Lee
6 Ayes.....0 Nays Resolution Adopted*

VIII. PERSONNEL RECOMMENDATIONS

1. RETIREMENT

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>
Victor Mastrovincenzo	Professor, Academic Foundations(Math)	10/1/2013

2. RESIGNATIONS

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>
Danielle Warren	Recruiter	9/26/2013
Corey Vidgor	Executive Director, Distance Education	9/27/2013
Sonia Medina-Ronquillo	Academic Lab Coordinator	10/11/2013

3. APPOINTMENT OF STAFF

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>	<u>Annual Salary</u>
John DeLooper	Director of Library Technology	10/15/2013	\$57,000 (pro-rated)
Chenelle Coleman	Transfer Student Coordinator/ Recruiter	10/15/2013	\$38,000 (pro-rated)

4. RE-ADOPTION OF STAFFING TABLE FOR FISCAL YEAR 2014 EFFECTIVE JUNE 12, 2013

5. TITLE CHANGE

Title

From:
Executive Director, Distance Education

To:
Executive Director, Online Learning

6. APPOINTMENT OF ADDITIONAL NEW & CONTINUING PART-TIME HIRES: AUGUST 15 – JUNE 30, 2013.

Last Name	First Name	Department	Title
Edwards	Janet	ADJ Academic Support Services	Tutor
Londono	Jazmin	Academic Foundation Math	SI Leader
Jajoo	Ritu	Center for Business & Industry	Instructor
Storm	Elizabeth	Community Education	Intructor

Line	Jennifer	Community Education	Program Coordinator
Michail	Phoebe	Community Education	Program Coordinator
Rathore	Rozeena	Controller’s Office	Accounting Assistant
Pichardo	Rafael	Culinary Arts	Dishwasher
Jno-Ville	Paula	Culinary Arts	Office Assistant
Bell	Robert	Disability Support Services	Notetaker/Reader
Falconi	Connie	Disability Support Services	Notetaker/Reader
Jaikissoon	Martha	Disability Support Services	Notetaker/Reader
Cuna	Angelica	Disability Support Services	Notetaker/Reader
Cabana	Ileana	Enrollment Services	Admissions/Financial Aid Recruiter
Oubraham	Nouara	Library	Library Clerical Assistant
Kassar	William	ITS	ITS Support
Urbina	Carbajal	ITS	Lab Assistant
Vaghani	Manasvi	ITS	Lab Assistant
Qamar	Jahanzaib	ITS	Lab Assistant
Patel	Hardik	ITS	Lab Assistant

Introduced by:

James Fife

Seconded by:

Karen Fahrenholz

6 Ayes.....0 Nays

Resolution Adopted

IX. **ACADEMIC AND STUDENT AFFAIRS**

- 1)

Renewal of a Separate Memorandum of Understanding Between: HCCC and Carepoint Health School of Nursing – AS in Science / Diploma in Nursing, HCCC and Bayonne Medical Center School of Nursing – AS in Science / Diploma in Nursing, HCCC and Liberty Health Care System - Jersey City Medical Center for the AAS and Certificate - Paramedic Science Program,
- 2)

Establishment of a new Memorandum of Understanding between Carepoint Health School of Radiography – AS in Science Degree Program, and
- 3)

‘Affiliate Faculty’ Status for (A) the Nursing Instructors at Bayonne Medical Center School of Nursing and CarePoint -Christ Hospital School of Nursing – Partner Institutions for HCCC’s A.S. Cooperative Nursing Program and AS Science Radiography; and for (B) the Paramedic Science Instructors at Jersey City Medical Center, Partner Institution for HCCC’s A.A.S./Certificate Paramedic Science Programs.

Introduced by:

Karen Fahrenholz

Seconded by:

Jeanette Peña

6 Ayes.....0 Nays

Resolution Adopted

X. NEW BUSINESS

1. Resolution Accepting a Gift of Art from Benjamin J. Dineen, III and Dennis C. Hull

Introduced by: Entire Board

Seconded by: Entire Board

6 Ayes.....0 Nays

Resolution Adopted

2. Naming of Rooms 613, 616, 618, and 619 in the College Library

Introduced by: Entire Board

Seconded by: Entire Board

6 Ayes.....0 Nays

Resolution Adopted

Ben Dineen and Dennis Hull addressed the Board and those in attendance. Ben Dineen stated that he and Dennis Hull wanted to give something back to the community by supporting the College by sharing their personal art collection with faculty and students. Dennis Hull said he knew that they made the right decision in donating the art because HCCC has demonstrated its commitment to fine arts.

Chairman Netchert thanked Dineen and Hull for their legacy gift to the College. He then asked the trustees to stand for the resolution as a way to acknowledge the extraordinary nature of the action.

XI. ADJOURNMENT 5:21 P.M.

Introduced by: James Fife

Seconded by: Karen Fahrenholz

6 Ayes.....0 Nays

Resolution Adopted

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

VII. FISCAL, ADMINISTRATIVE, LEASE AND CAPITAL RECOMMENDATIONS

1. Electrical Service Contractor FY 2014 & 2015

REPORT/BACKGROUND:

There is a need to have an Electrical Service Contractor to provide professional electrical services campus wide.

A request for proposals was advertised on the internet beginning Tuesday, October 15, 2013. Two (2) proposal were dispersed and one (1) proposal was received and opened on Tuesday, October 29, 2013.

The proposal was received from Sal Electric Co, Inc. of Jersey City, New Jersey, covering a two (2) year period at a cost of:

<i>Master Electrician</i>	<i>\$ 90.47 Labor Cost per hour</i>
<i>Journeyman</i>	<i>\$ 79.36 Labor Cost per hour</i>
<i>Apprentice/Laborer</i>	<i>\$ 27.76 Labor Cost per hour</i>

The Vice President of Operations recommends this purchase.

RECOMMENDATION:

The President, the Administration, the Facilities Committee and the Finance Committee recommend that the Board of Trustees approve Sal Electric Service Co. of Jersey City, New Jersey as the Electrical Service Contractor and funded from the operating budget.

2. Amendment to the Resolution for Purchase of Emergency & Repair Parts for FY-2014 & 2015

REPORT/BACKGROUND:

There is a need to amend the resolution for Tsigonia for the purchase of emergency and repair parts. In order to respond to weather related emergencies, the College needs to have certain equipment and supplies on hand. The list of this emergency equipment was quoted and the winner was Tsigonia Paint; the total quoted cost is \$ 8,324.26. In addition, the Facilities Department wishes to amend the initial resolution to include additional parts that were not included on the original bid at an estimated cost of \$3,000.00. These additional amounts when added to the previously approved purchases results in a total cost, not to exceed \$ 58,697.96.

This increase and additional equipment was requested by the Facilities Department and the Vice President of Operations recommends this purchase.

RECOMMENDATION:

The President, the Administration, the Facilities Committee and the Finance Committee recommend that the Board of Trustees approve the amendment to the resolution for purchase of emergency & repair parts for fiscal year 2014 & 2015 for Tsigonia Paint Supplies of Jersey City, New Jersey for a total cost not to exceed \$58,697.96 to be funded from the operating budget.

3. Purchase College Wide Imaging Solution Hosted Services

REPORT/BACKGROUND:

There is a need for the College to upgrade its current imaging system. One of the goals in the College's 5 year Technology Plan is related to providing a college-wide (Campus-wide Infrastructure) imaging solution.

Document imaging and workflow solutions reduce the cost of doing business, while improving efficiency. Document imaging is a proven technology that moves information to the people, rather than moving people to the information. It is a means of storing information in a digital format rather than in a paper format. Some cost justifications would include, improved access to information, greater security of files, payroll (people power) cost savings, reduced physical storage costs. Perceptive Software, Shawnee, KS, is the chosen vendor. Perceptive Software (ImageNow) is the only vendor which currently has the capability to be able to fully integrate, and not just interface, with the Colleague software. Perceptive Software is an Ellucian strategic partner providing imaging solutions to over 240 Ellucian clients.

The Chief Information Officer approves this purchase.

RECOMMENDATION:

The President, the Administration, and the Finance Committee recommend that the Board of Trustees approve Perceptive Software of Shawnee, Kansas, to provide the hosted imaging solution, at a total cost not to exceed \$504,422.00, over five (5) years, to be funded from the ITS operating budget.

4. Purchase of Trash Removal Services (Three years)

The College has a need for a trash removal and refuse vendor to perform the needed trash pickup and disposal campus-wide.

A bid request was advertised in the Jersey Journal and The Star Ledger on Wednesday, October 9, and Thursday, October 10, 2013, (Note: this Bid is for three (3) years). Six (6) bid packages were dispersed and three (3) bids were received and opened on Tuesday, October 22, 2013.

The results were as follows:

<u>VENDOR</u>	<u>LOCATION</u>	<u>BID AMOUNT</u>
The Allegro Group	Secaucus, NJ	\$ 141,874.00
Year one (1) \$ 46,212.00		
Year two (2) \$ 47,831.00		
Year three (3) \$ 47,831.00		
Waste Management of New Jersey	Ewing, NJ	\$ 183,292.20
B&B Disposal	Newark, NJ	\$ 225,932.00

The Vice President of Operations recommends this purchase.

RECOMMENDATION:

The President, the Administration, the Facilities Committee and the Finance Committee recommend that the Board of Trustees approve The Allegro Group of Secaucus, New Jersey as the trash removal and refuse vendor for the College at a total cost not to exceed \$ 141,874.00 for the three (3) year contract and funded from the operating budget.

5. Resolution Authorizing Adjustments to the Benefit Plan Adopted by the College Pursuant to Section 125 of the IRS Code

REPORT/BACKGROUND:

The College has provided an IRS "Cafeteria" Plan under section 125 of the IRS Code which permitted benefit plans paid and contributed to in pre-tax dollars, including Flexible Spending Accounts (FSA). In 2010 when the N.J. Legislature passed P.L. 2011.c78(a/k/a Chapter 78) mandating increased employee contributions to insurance and pensions, that legislation also mandated deductions be done in pre-tax dollars and that NJ public employers offers FSA's. However, the IRS did not limit the FSA Health Plan deductions by employees from their pre-tax pay to \$2,500.00 until 2013 Plan year. The IRS on 10-30-13 in follow-up to that limitation issued a Notice that if the Employer amends its 125 plan before the end of this year that it may do so retroactively to allow employees an annual carryover of their FSA Health Plans up to \$500.00 of their voluntary payroll deduction contribution into their following year plan and eliminate the grace period provision by no later than the end of the plan year from which amounts may be carried over. Otherwise, the "use or lose" rule of any unused contribution acts as a disincentive to not participate in the FSA or encourages employees to incur qualifying but unnecessary costs of little benefit to them. The amendment would only apply to an employee's voluntary deduction and not to any employer's contribution portion.

WHEREAS, P.L. 2011 Chapter 78 requires local employers to establish an IRC Section 125 cafeteria plan for medical and dental plan; and

WHEREAS, the College, as part of its catalog of benefits and services, has committed to the incorporation of an IRC Section 125 Cafeteria Plan/Flexible Spending Account (FSA) for all of its full-time employees; and

WHEREAS, providing an opportunity for employees to elect to participate in Flexible Spending Accounts for Health Expense, Dependent Care Expense and Transportation Expense Reimbursement and have contributions deducted pre-tax through payroll hereby saving in federal taxes; and

WHEREAS, it is the recommendation that the Section 125 Plan adopted by the College, and so the previously adopted Plan currently in place is hereby amended to include the amendments to the Flexible Spending Account Health Plans that provide for a \$500.00 carry-over to the following plan of that portion of any FSA Health Plan account that is contributed by the employee from pre-tax payroll deductions; and eliminate the grace period provision by no later than the end of the plan year from which amounts may be carried over.

RECOMMENDATION:

The President, the Administration, and the Finance Committee recommend that the Board of Trustees approve the amendment to the Flexible Spending Account Health Plans that provide for a \$500.00 carry-over to the following plan of that portion of any FSA Health Plan account that is contributed by the employee from the pre-tax payroll deductions and eliminate the grace period provision by no later than the end of the plan year from which amounts may be carried over.

6. **Printing and Distribution of Community Education Catalog**

REPORT/BACKGROUND:

There is a need to print and distribute a Community Education catalog to the residents of Hudson County to promote course offerings.

Quotes were requested from the Hudson County Community College printer vendor list.

The proposal was received from United Book Press Inc., 1807 Whitehead Rd., Baltimore MD 21207-4104 for the printing of 77,500 copies with distribution. The cost is not to exceed \$26,000. The Vice President of Academic Affairs recommends this purchase.

RECOMMENDATION:

The President, the Administration, and the Finance Committee recommend that the Board of Trustees approve United Book Press Inc., 1807 Whitehead Rd., Baltimore MD as the Printer and Distributor Contractor, at a cost not to exceed \$26,000 and funded from the operating budget.

RESOLUTION:

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees approves the recommendations of the President, the Administration, the Facilities Committee and the Finance Committee as outlined above in **Item VII. Fiscal, Administrative, Lease and Capital Recommendations 1 - 6:** 1) Electrical Service Contractor FY 14 & FY 15; 2) Amendment to the Resolution for Purchase of Emergency & Repair Parts for FY 14 & FY 15; 3) Purchase College-Wide Imaging Solution Hosted Services; 4) Purchase of Trash Removal Services (three years); 5) Resolution Authorizing Adjustments to the Benefit Plan Adopted by the College Pursuant to Section 125 of the IRS Code; and 6) Printing and Distribution of Community Education Catalog.

INTRODUCED BY: Bakari Lee

SECONDED BY: James Fife

DATE: December 3, 2013

Callahan, Kevin	<u>AYE</u>
Fahrenheit, Karen	<u>AYE</u>
Fife, James	<u>AYE</u>
Kenny, Roberta	<u>AYE</u>
Kosakowski, Joanne	<u>AYE</u>
Lee, Bakari	<u>AYE</u>
Peña, Jeanette	<u>AYE</u>
Sires, Adrienne	<u>AYE</u>
Zampella, Alfred	<u>AYE</u>
Netchert, William, Chair	<u>AYE</u>

10 Ayes..... 0 Nay

*****RESOLUTION ADOPTED*****

Lennifer Oakley 12-3-13
Signature of Recorder Date

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

VIII. PERSONNEL RECOMMENDATIONS

1. RESIGNATIONS

REPORTS/BACKGROUND

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>
Seth Henrie	PC Technician	11/1/2013

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>
Dianne Mohammed	Assistant Registrar	11/29/2013

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>
Stephanie Kuran	Career & Transfer Counselor	12/3/2013

RECOMMENDATION:
The President, the Administration and the Personnel Committee recommend that the Board of Trustees approve the Resignations above as Personnel Recommendation Item No. 1.

2. APPOINTMENT OF STAFF

REPORTS/BACKGROUND

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>	<u>Annual Salary</u>
Collen Dallavalle	Director of Student Activities	12/4/2013	\$55,000 (pro-rated)

Note: This is an approved position.

<u>Name</u>	<u>Title</u>	<u>Effective Date</u>	<u>Annual Salary</u>
Diana Perez	Academic Lab Coordinator	12/4/2013	\$38,000 (pro-rated)

Note: This is a replacement for Sonia Medina.

RECOMMENDATION: The President, the Administration and the Personnel Committee recommend that the Board of Trustees approve the Appointment of Staff above as Personnel Recommendation Item No. 2.

3. MODIFICATION OF STAFFING TABLE FISCAL YEAR 2014 EFFECTIVE DECEMBER 3, 2013.

REPORTS/BACKGROUND

PROMOTION:

NAME	TITLE	SALARY ADJUSTMENT
Michael Reimer	FROM: Associate Dean, Student Services TO: Dean, Student Services	FROM: \$74,434 TO: \$90,000

DELETE TITLE:

Associate Dean, Student Services

RECOMMENDATION:

The President, the Administration and the Personnel Committee recommend that the Board of Trustees approve the Modification of Staffing Table Fiscal Year 2014 Effective December 3, 2013 listed above as Personnel Recommendation Item No 3.

4. APPOINTMENT OF ADDITIONAL NEW & CONTINUING PART-TIME HIRES: DECEMBER 4 – JUNE 30, 2013.

Last Name	First Name	Department	Title	Position Id
Ellerbe	Janice	CBI	WorkFirst Instructor	PTINST-605003
Alicea	Peter	Culinary Arts	Dishwasher	CULDDW-101030
Singh	Soamwattie	Culinary Arts	Dishwasher	CULDDW-101030
Candelaria	Melania	Culinary Arts	Dishwasher	CULDDW-101030
Sison	Epifanio	Culinary Arts	Dishwasher	CULDDW-101030
Bosch	Ilgner	ITS	PT PC Technician	PTTECH-253025
Patel	Vibhuti	ITS	Instructional Lab Assistant	ISTLAB-253025
Penaranda	Silvia	ITS	Instructional Lab Assistant	ISTLAB-253025
Garvey	Maureen	Library	PT Librarian	PTLRN-150510

RECOMMENDATION:

The President, the Administration and the Personnel Committee recommend that the Board of Trustees approve the Appointment of Additional New Part-Time Assignments listed above as Personnel Recommendation Item No. 4.
(See Attachment A)

5. Salary Adjustments for Employees Holding Regular Full-time Confidential Positions Effective July 1, 2013.

REPORT AND BACKGROUND

Confidential jobs are those that are regular full-time positions not included in any collective bargaining unit at the College. The last general pay increase for confidential employees was effective July 1, 2012. It has been determined that the following increases for confidential employees would be appropriate and could be supported out of the current operating budget: an increase to the base of 2% or by that amount necessary to bring it to \$30,000 per annum, whichever is greater.

RECOMMENDATION

The President, the Personnel Committee and the Executive Committee of the Board recommend that the Board of Trustees approve the salary adjustments for full-time confidential employees as outlined above, retroactive to July 1, 2013.

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees approve the recommendations of the President, the Administration and the Personnel Committee as outlined above in **Item VIII. Personnel Recommendations 1-5:** (1) Resignations, (2) Appointment of Staff, (3) Modification of Staffing Table Fiscal Year 2014 Effective December 3, 2013, (4) Appointment of Additional New Part-Time Hires, and (5) Salary Adjustments for Employees Holding Regular Full-time Confidential Positions Effective July 1, 2013.

INTRODUCED BY: James Fife

SECONDED BY: Adrienne Sires

DATE: December 3, 2013

Callahan, Kevin	<u>AYE</u>
Fahrenholz, Karen	<u>AYE</u>
Fife, James	<u>AYE</u>
Kenny, Roberta	<u>AYE</u>
Kosakowski, Joanne	<u>AYE</u>
Lee, Bakari	<u>AYE</u>
Peña, Jeanette	<u>AYE</u>
Sires, Adrienne	<u>AYE</u>
Zampella, Alfred	<u>AYE</u>
Netchert, William, Chair	<u>AYE</u>

10 Ayes.....0 Nay
RESOLUTION ADOPTED
James Fife 12-3-13
Signature of Recorder Date

HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013

VIII. PERSONNEL RECOMMENDATIONS

5. RE-ADOPTION OF STAFFING TABLE FOR FISCAL YEAR 2014 EFFECTIVE JUNE 12, 2013

REPORTS/BACKGROUND:

The Staffing Table for Fiscal Year 2014 has been prepared in consultation with the Personnel Committee.

RECOMMENDATION:

The President, the Administration and the Personnel Committee recommend that the Board of Trustees re-adopt the Staffing Table for FY 2014 which was originally adopted by the Board of Trustees on June 11, 2013 as agenda item VIII. Personnel Recommendations: #4. (See Attachment A)

RESOLUTION:

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees approve the recommendation of the President, the Administration and the Personnel Committee as outlined above in **Item VIII. Personnel Recommendation 5: Re-adoption of Staffing Table for Fiscal Year 2014 effective June 12, 2013.**

INTRODUCED BY: James Fife

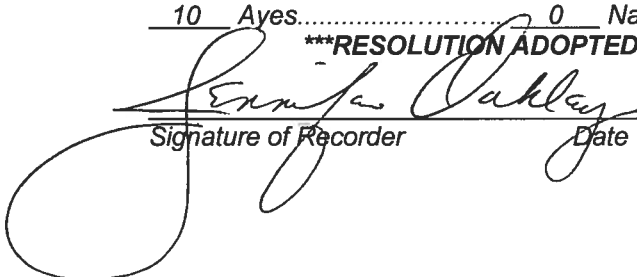
SECONDED BY: Karen Fahrenholz

DATE: December 3, 2013

Callahan, Kevin	<u>AYE</u>
Fahrenholz, Karen	<u>AYE</u>
Fife, James	<u>AYE</u>
Kenny, Roberta	<u>AYE</u>
Kosakowski, Joanne	<u>AYE</u>
Lee, Bakari	<u>AYE</u>
Peña, Jeanette	<u>AYE</u>
Sires, Adrienne	<u>AYE</u>
Zampella, Alfred	<u>AYE</u>
Netchert, William, Chair	<u>AYE</u>

10 Ayes..... 0 Nay

RESOLUTION ADOPTED

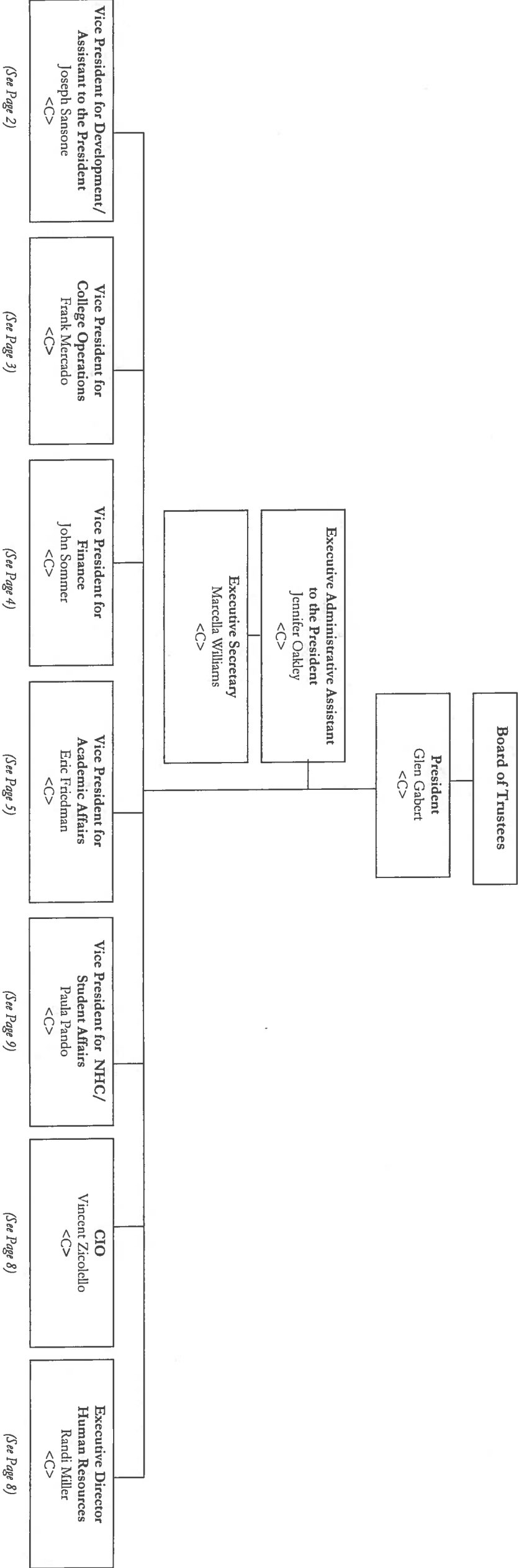
 12-3-2013
Signature of Recorder Date

Hudson County Community College

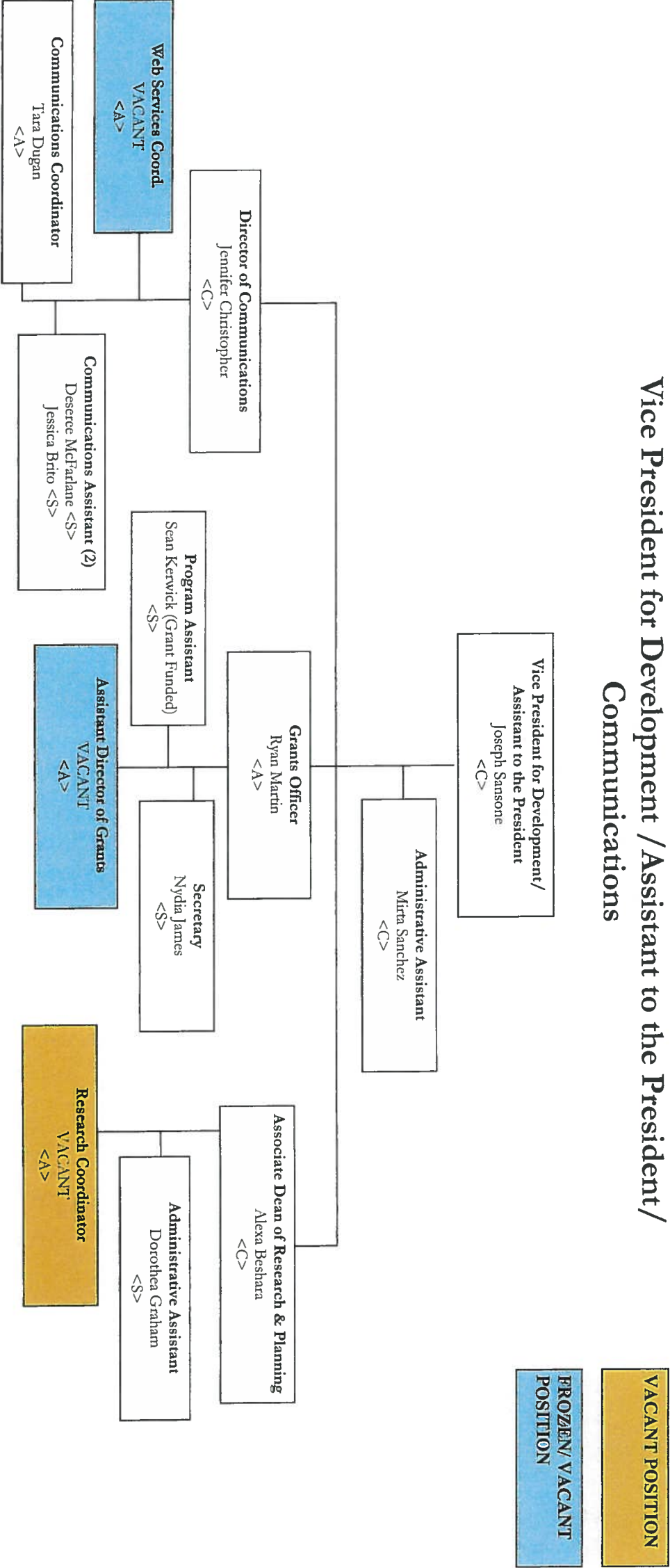


Page 1	President and Executive Council
Page 2	Vice President for Development/Assistant to the President/ Communications
Page 3	Division of Operations
Page 4	Division of Finance
Page 5	Division of Academic Affairs
Page 6	Division of Academic Affairs/Instruction
Page 7	Division of Academic Affairs/Faculty
Page 8	Human Resources & Information Technology
Page 9	Division of Student Affairs
Page 10	Center for Academic and Student Success
Page 11	Enrollment Services
Page 12	Student Financial Assistance
Page 13	North Hudson Center

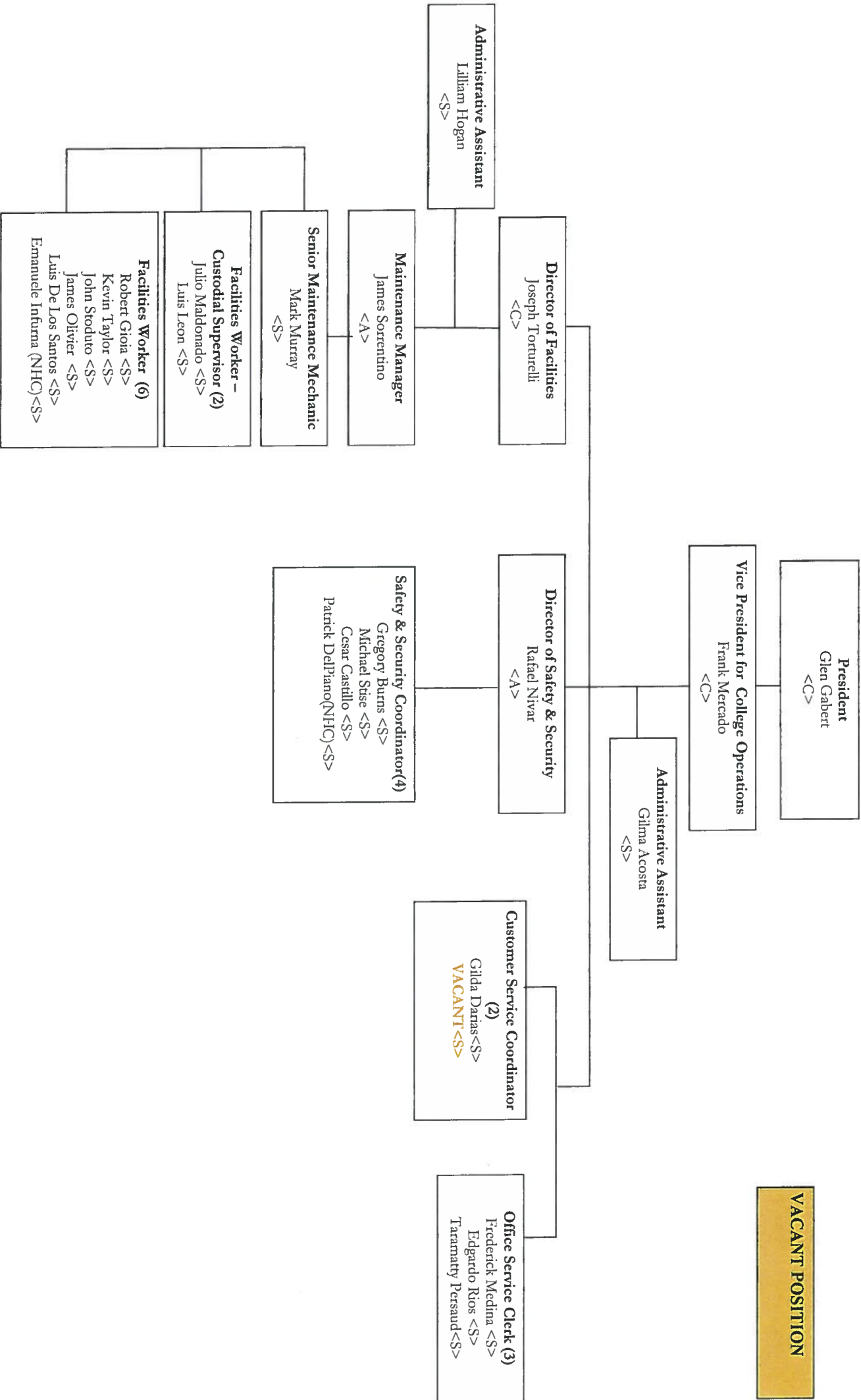
President and Executive Council



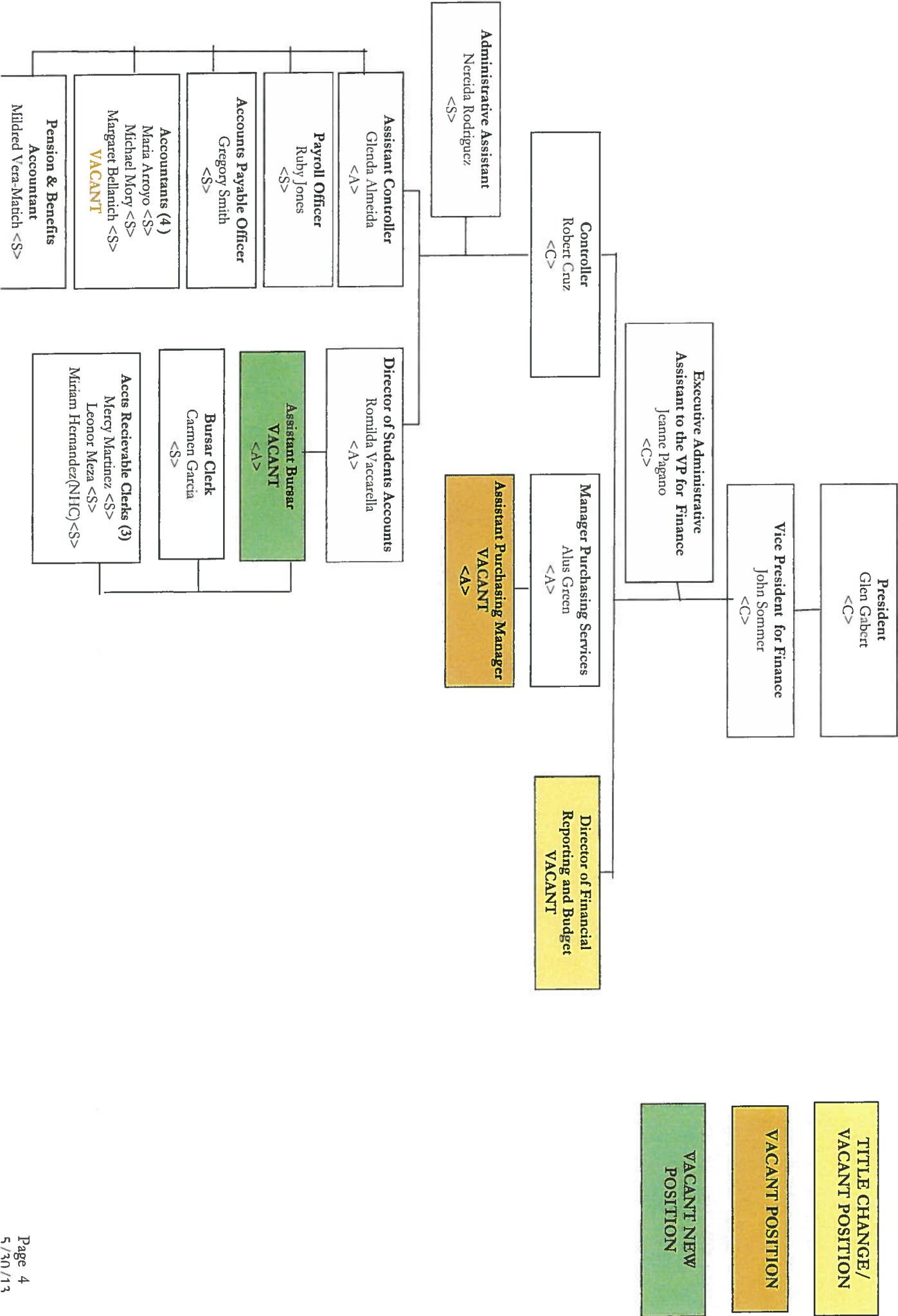
Vice President for Development / Assistant to the President/
Communications



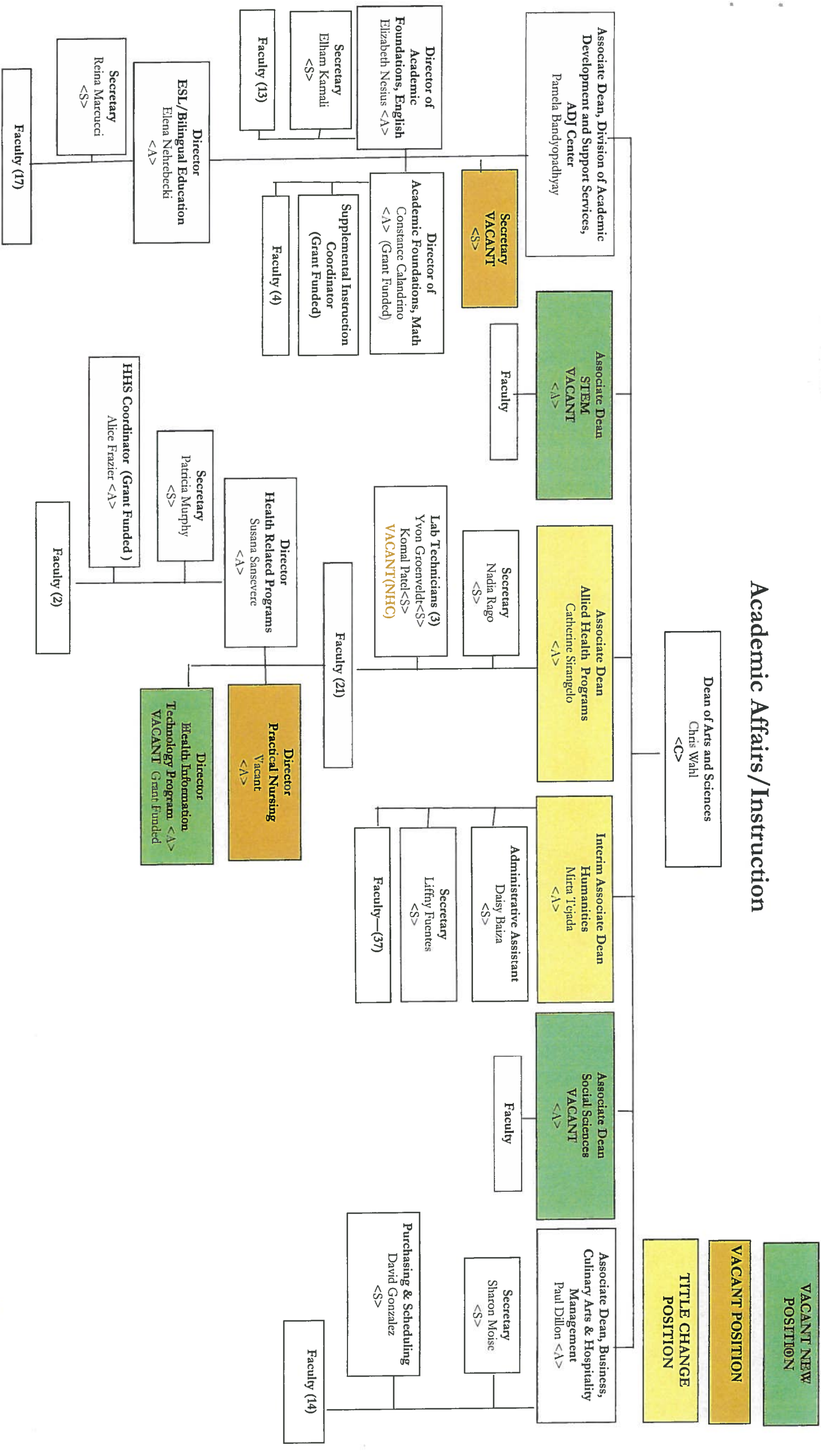
Operations



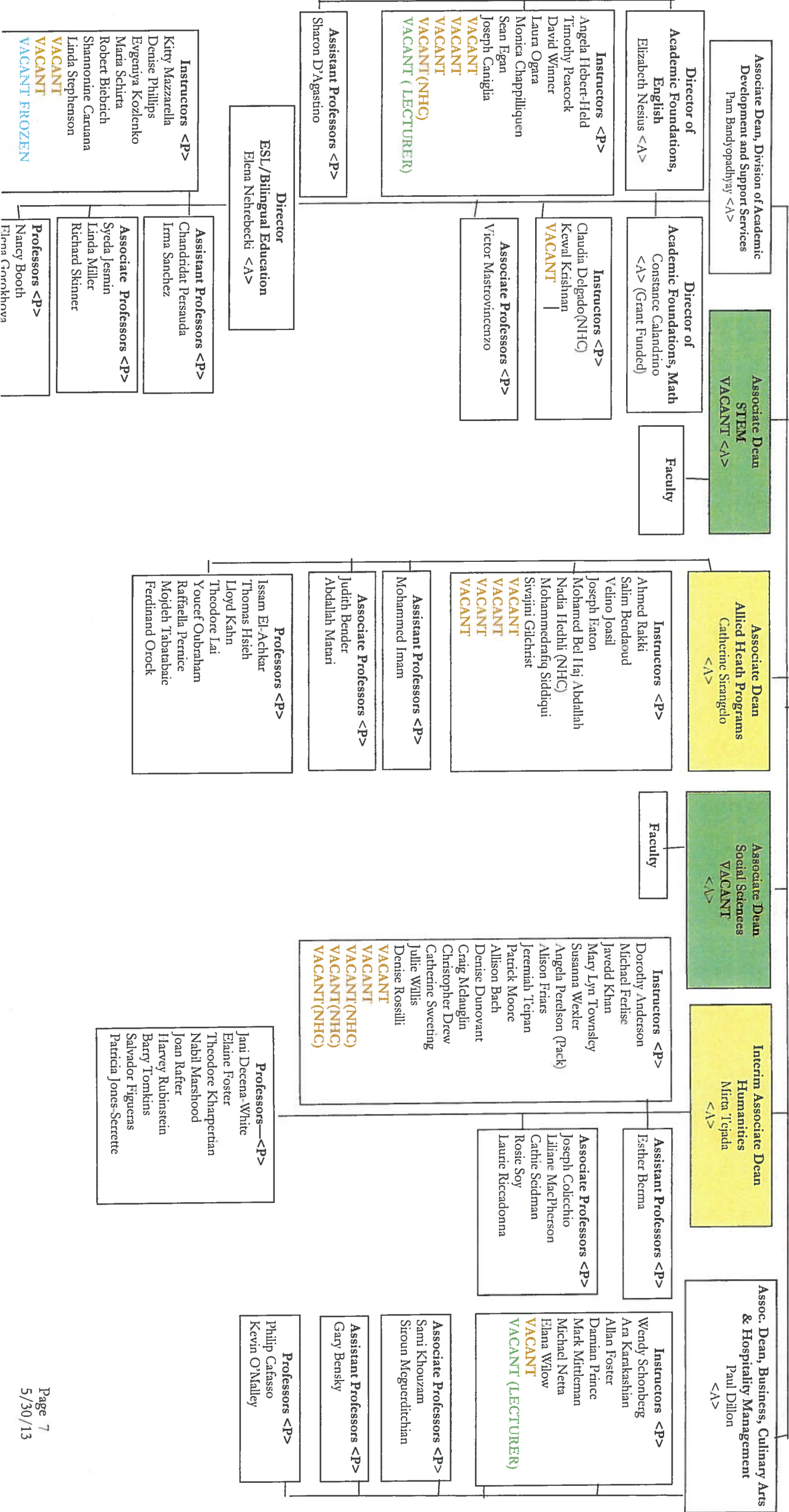
Finance



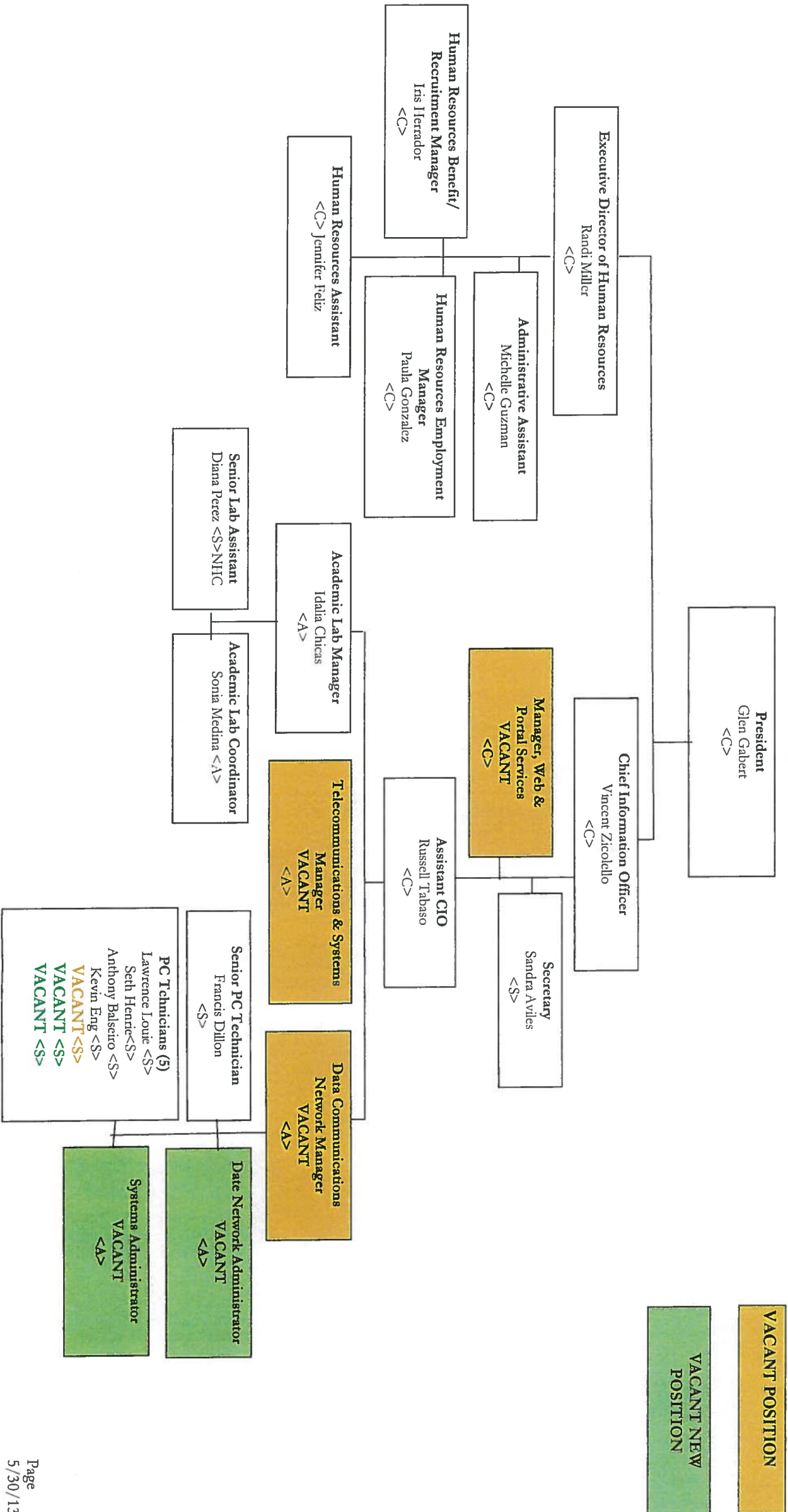
Academic Affairs/ Instruction



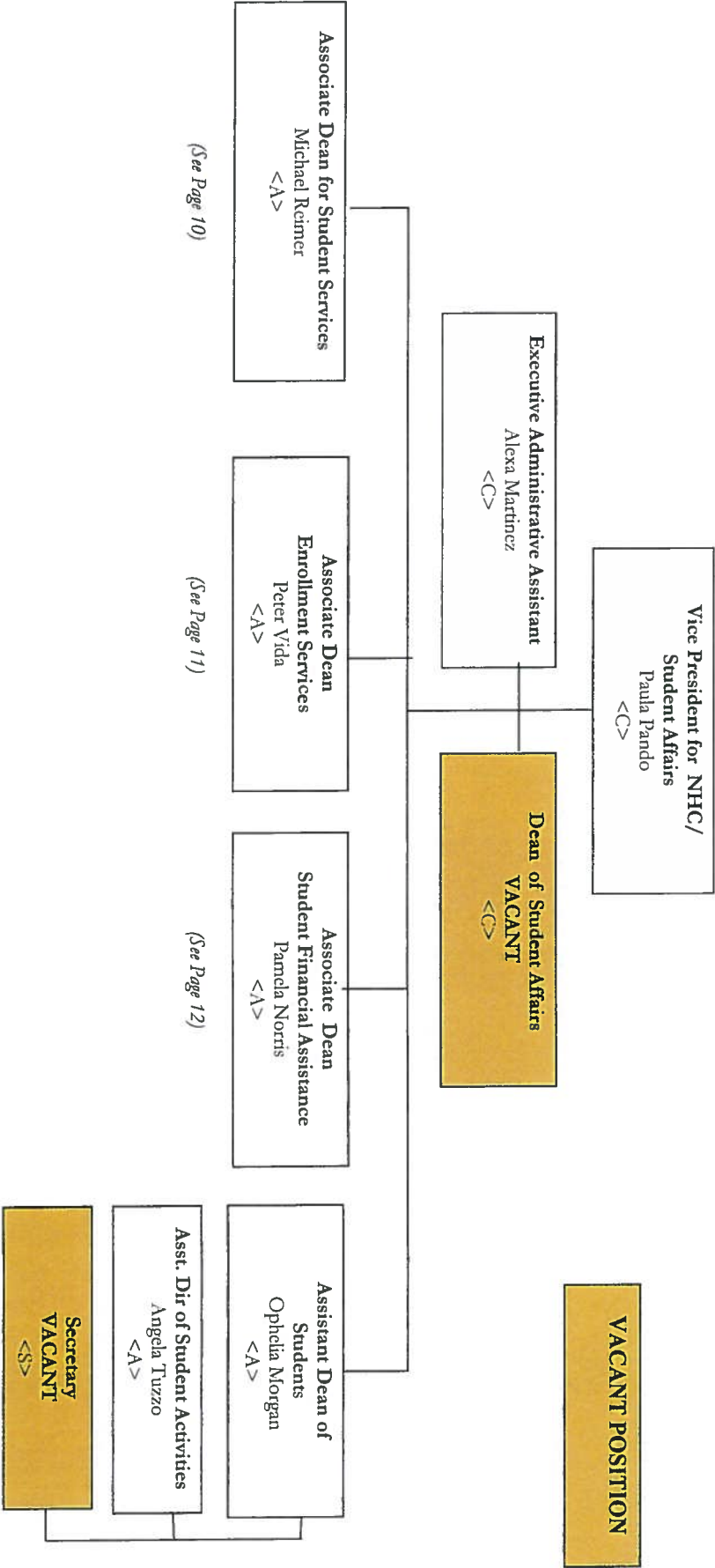
Academic Affairs / Faculty



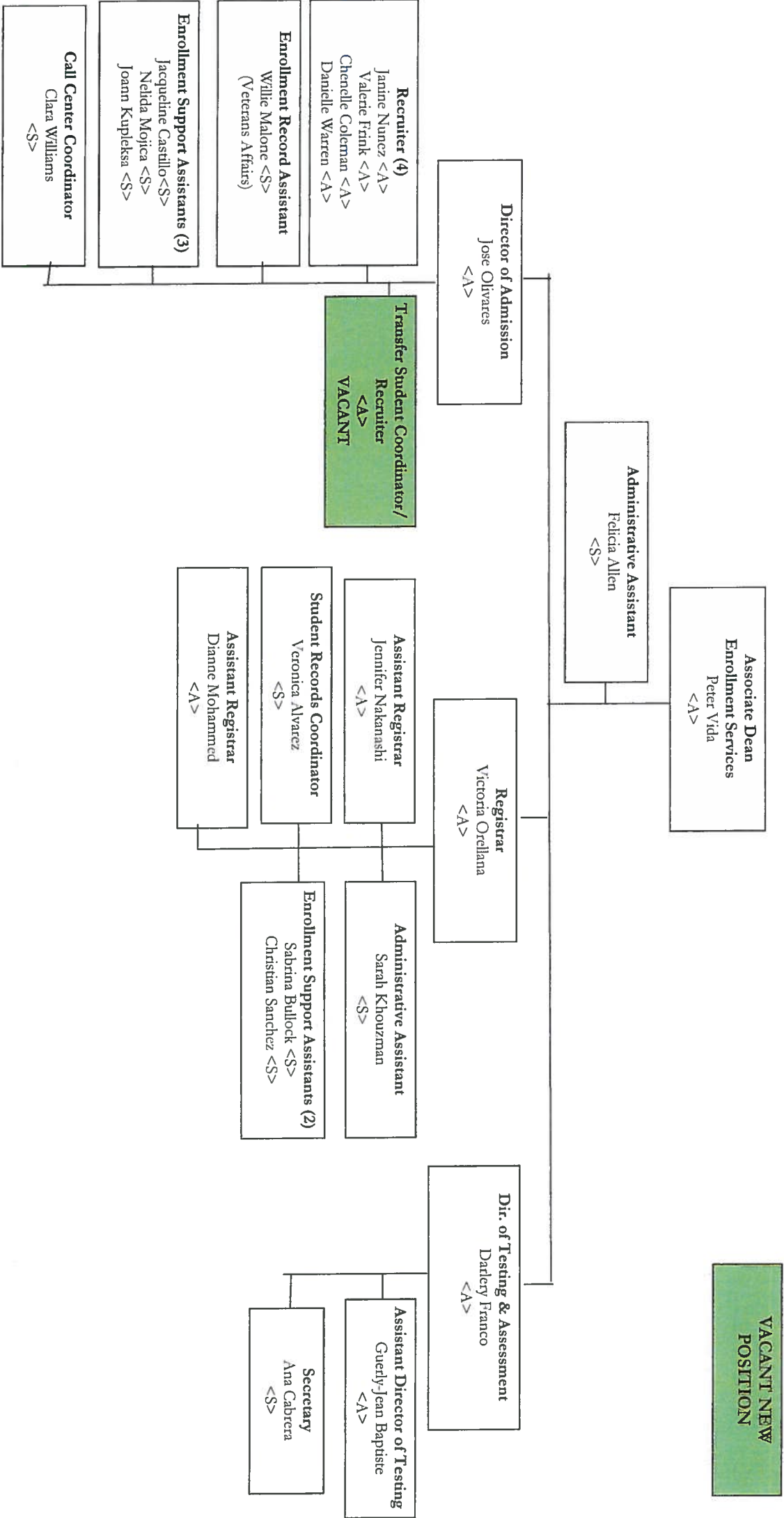
Human Resources & Information Technology



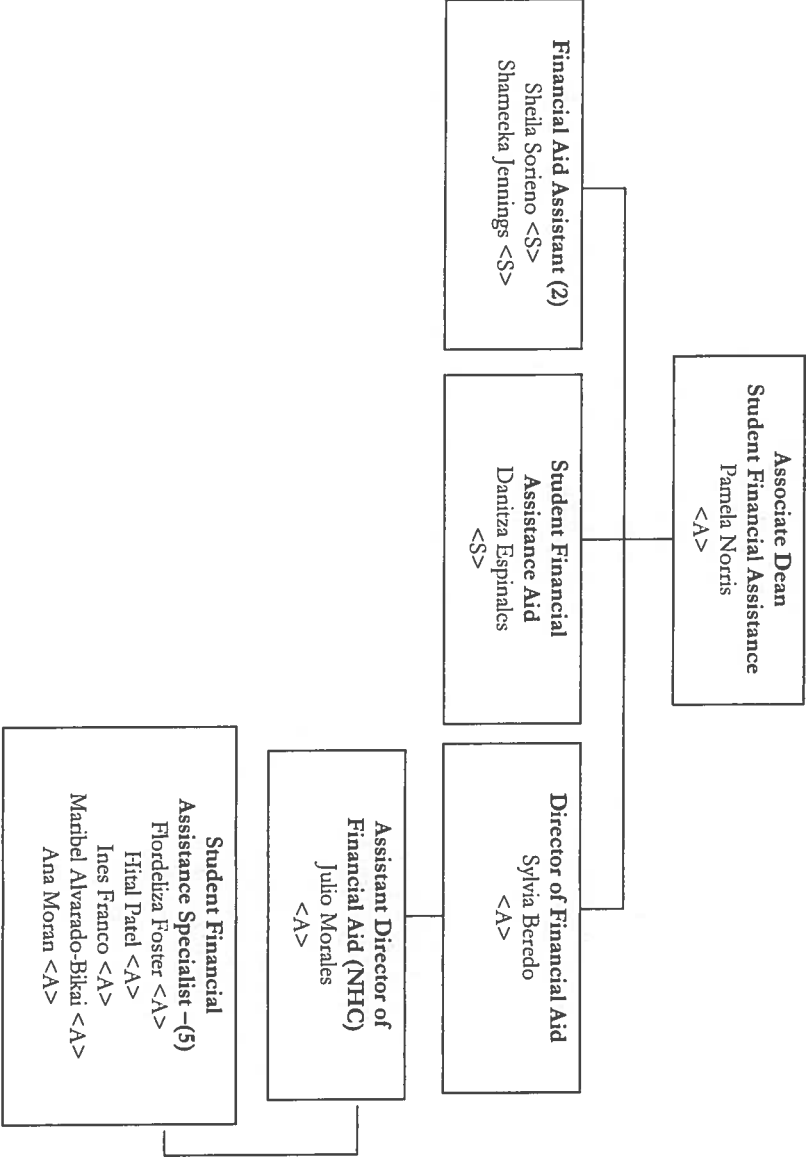
Division of Student Affairs



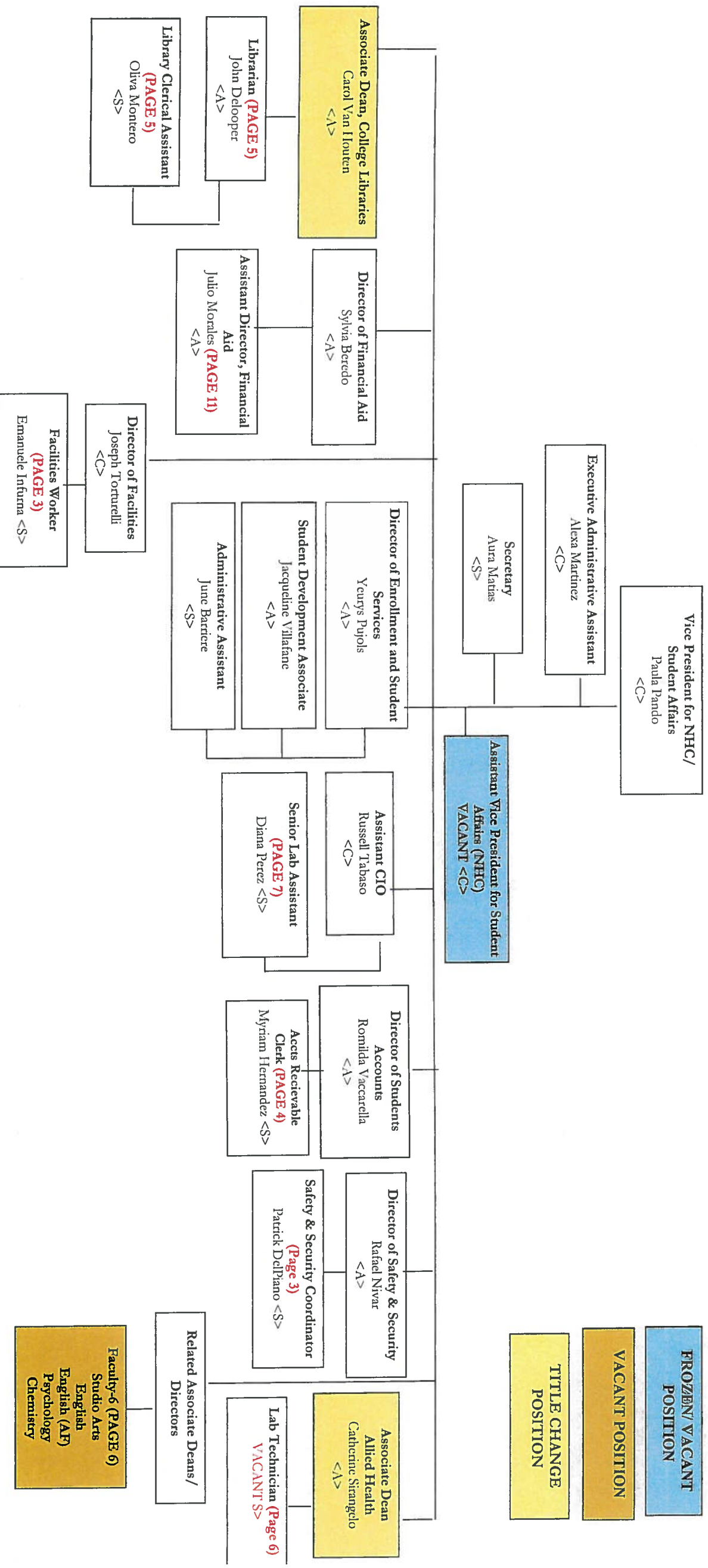
Enrollment Services



Student Financial Assistance



NORTH HUDSON CENTER



**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

IX. ACADEMIC AND STUDENT AFFAIRS

1. **The University of Phoenix** offers campus and online degree programs (including a fully online Bachelors of Nursing), certificate courses, and individual online classes. HCCC's ability to offer certain degree and certificate programs is contingent on establishing critical collaborative partnerships with other institutions. It is therefore recommended that HCCC enter into an Alliance Memorandum of Understanding with the University of Phoenix (UOP).

REPORT/BACKGROUND

HCCC proposes entering into an Alliance Memorandum of Understanding with the University of Phoenix. Opportunities for HCCC students would include reduced tuition and clear transfer pathways. The Memorandum of Understanding offers the following highlights:

1. UOP will provide a 5% tuition reduction to our students with a completed HCCC Associate's Degree who are entering into a Bachelor Level Program or higher.
2. UOP will provide a 100% Prior Learning Assessment (PLA) reduction to our students who are entering into a Bachelor Level Program or higher.
3. UOP will provide HCCC's staff and faculty a 5% tuition reduction and 100% PLA reduction who enter into a Bachelor Level Program or higher.
4. UOP shall provide a Course Transfer Guide which will help provide smooth transfer pathways for our students.
5. UOP will provide a link from HCCC's internal website to a UOP website to assist with enrollment.

RECOMMENDATION

The President, the Administration, and the Academic and Student Affairs Committee recommend that the Board of Trustees approve HCCC entering into an Alliance Memorandum of Understanding with the University of Phoenix.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the Board of Trustees approve the recommendations of the President, the Administration, and the Academic and Student Affairs Committee as outline above in Item IX. Academic and Student Affairs Recommendation #1: HCCC will enter into an Alliance Memorandum of Understanding with the University of Phoenix.

INTRODUCED BY: Karen Fahrenholz

SECONDED BY: James Fife

DATE: December 3, 2013

Callahan, Kevin	<u>AYE</u>
Fahrenholz, Karen	<u>AYE</u>
Fife, James	<u>AYE</u>
Kenny, Roberta	<u>AYE</u>
Kosakowski, Joanne	<u>AYE</u>
Lee, Bakari	<u>AYE</u>
Peña, Jeanette	<u>AYE</u>
Sires, Adrienne	<u>AYE</u>
Zampella, Alfred	<u>AYE</u>
Netchert, William, Chair	<u>AYE</u>

10 Ayes..... 0 Nay

*****RESOLUTION ADOPTED*****

Jennifer Oakley 12-3-13
Signature of Recorder Date

Alliance Memorandum of Understanding

This Alliance Memorandum of Understanding ("MOU") is between University of Phoenix, Inc. ("University") with its principal place of business at 4025 South Riverpoint Parkway, Phoenix, Arizona 85040 and Hudson County Community College ("School") located at 70 Sip Avenue, Jersey City, New Jersey 07306.

Benefits Offered by University:

1. The University will provide a five percent (5%) tuition reduction and a one hundred percent (100%) Prior Learning Assessment ("PLA") reduction to School's employees who enter into a Bachelor Level Program or higher, including certificate programs, and single courses, including professional development courses, who meet the University's admission standards. After the effective date of this MOU and after the date the student identifies as an employee of School, reduced tuition will apply to the then current rates at the time the student enrolls in a course. All students are subject to the University's student policies.
2. The University will provide a five percent (5%) tuition reduction and a one hundred percent (100%) PLA reduction to new students entering into a Bachelor Level Degree Program at University who obtain an Associate's Degree from School after the effective date of this MOU. After the effective date of this MOU and after the date the student has been confirmed as having an Associate's Degree from School, reduced tuition will apply to the then current rates at the time the student enrolls in a course. All students are subject to the University's admission policies.
3. The University will provide a one hundred percent (100%) PLA reduction to students for the assessment of professional training that has not been transcribed as transferrable college level credit towards a degree program offered at the School. The MOU will cover training completed at the school or an affiliated skill or training center as listed on Addendum A, after the effective date of this MOU. If no affiliated skill or training centers are listed on Addendum A, then this provision shall only be effective for the School as listed above. Coursework which is remedial or developmental in nature is not eligible for assessment. All students are subject to the University's prior learning assessment policies.
4. The University shall provide a Course Transfer Guide ("CTG") in a PDF file which will include course-by-course transfer categories for lower division degree applicable college level courses from the School that are eligible for credit towards general education and elective categories at the University. Students shall be subject to the University's transfer policies. Additional general education credits may be needed to fulfill specific degree program requirements.
5. A minimum grade of "C" (2.0) is required to waive a University undergraduate-required course.
6. The University shall provide a sample Program Transfer Guide ("PTG") illustrating how an Associate's Degree may transfer to a Bachelor's Degree offered at University. The School agrees to permit the University to publish the PTG publicly on phoenix.edu.
7. The University will provide a link from the School's internal website to a University website to assist employees with enrollment.
8. The University will provide information to support the School's internal promotion of continuing education.

School Contributions:

1. School represents and warrants that it is an Associate-Degree Granting Institution currently accredited by an approved regional or national accrediting body. University may terminate this agreement immediately upon a change in accreditation status and/or if School fails to notify University of a change in accreditation status.
2. The school will make its course catalogue available on an annual basis for University of Phoenix course transfer evaluations. The School agrees to permit the University to publish the Course Transfer Guide publicly on phoenix.edu.
3. Subject to the School's policies, the School will work with the University to communicate the benefits of this MOU and the many educational opportunities available at the University.
4. The School will update Addendum A and provide an updated electronic copy to University within ten (10) business days of a new skill or training center being established or an existing skill or training center being discontinued.

General Terms and Conditions:

1. This MOU becomes effective on the date both parties have signed the MOU. Either party may terminate this MOU upon thirty (30) days prior written notice. If either party believes that the MOU might violate any law or regulation, adversely affect its accreditation, or any license or exemption issued by a Federal or State educational board or commission, either party may terminate the MOU immediately upon written notice to the other party.
2. The University may use School's name verbally for reference purposes only. The School grants the University the right to use the School's name and logo in writing for purposes of this MOU only.

3. Each party acknowledges that the relationship with the other is that of an independent contractor.
4. Each party agrees to abide by all applicable Federal and State Laws. This MOU shall be governed by and construed in accordance with the Laws of the State of Arizona. Jurisdiction for any claim, dispute, or lawsuit shall be Maricopa County, Arizona.
5. This MOU does not create any rights, title, or interest for any entity other than the University and the School.

HUDSON COUNTY COMMUNITY COLLEGE

UNIVERSITY OF PHOENIX, INC.

Signature

Signature

Printed Name

William Pepicello, Ph.D.

Printed Name

Title

President

Title

Date

Date

ADDENDUM A
HUDSON COUNTY COMMUNITY COLLEGE AFFILIATED SKILL OR TRAINING CENTERS

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HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013

X. NEW BUSINESS

1. Living Wage Policy

WHEREAS, the County of Hudson has adopted ordinance No. 81-2-2013 establishing a minimum wage, health benefits and vacation benefits policy for non-County vendors providing services to the County and its agencies; and

WHEREAS, the County has requested that the Hudson County Community College consider and adopt this policy; and

WHEREAS, the Hudson County Community College does hereby review and determine to adopt the Living Wage policy for contracts that fall within the criteria as set forth in the attached ordinance; and

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Hudson County Community College as follows:

- 1. The Board of Trustees does hereby approve of the Living Wage Policy, as set forth in the attached ordinance, adopted by the County of Hudson. (See Attachment A)
- 2. A copy of this resolution shall be forwarded to the County of Hudson.

INTRODUCED BY: James Fife

SECONDED BY: Joanne Kosakowski

DATE: December 3, 2013

Callahan, Kevin	AYE
Fahrenholz, Karen	AYE
Fife, James	AYE
Kenny, Roberta	AYE
Kosakowski, Joanne	AYE
Lee, Bakari	AYE
Peña, Jeanette	AYE
Sires, Adrienne	AYE
Zampella, Alfred	AYE
Netchert, William, Chair	AYE

10 Ayes.....0 Nay

RESOLUTION ADOPTED

Signature of Recorder Jennifer Cahley Date 12-3-13

ATTACHMENT A

ITEM X. New Business Recommendation #1

BOARD OF CHOSEN FREEHOLDERS COUNTY OF HUDSON

ORDINANCE

No. 81-2-2013

On Motion of Freeholder O'Dea
Seconded by Freeholder Dublin

AN ORDINANCE AMENDING ARTICLE 17 OF THE HUDSON COUNTY ADMINISTRATIVE CODE TO MANDATE MINIMUM HOURLY RATES OF PAY, VACATION BENEFITS AND HEALTH INSURANCE BENEFITS FOR CERTAIN NON-COUNTY EMPLOYEES PROVIDING SERVICES TO THE COUNTY

**BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF HUDSON, NEW JERSEY AS FOLLOWS:**

WHEREAS, the State of New Jersey has amended N.J.S.A. 34:11-56a4 relative to the establishment of certain minimum wage rates; and

WHEREAS, by its terms, the cited legislation does not prohibit any political subdivision of the State (including counties) from adopting regulations or rules, or entering into agreements, establishing standards for vendors, contractors and subcontractors of the political subdivision regarding issues of wage rates and greater protections of rights to the employees of such vendors, contractors and subcontractors; and

WHEREAS, it is important to the health and welfare of all residents of Hudson County that all working people are paid a wage that enables them to lift their families out of poverty; and

WHEREAS, the absence of health benefits often causes both economic and emotional hardship to workers and their families during times of illness; and

WHEREAS, the health and well being of workers and their families are enhanced by working conditions which allow workers to have quality leisure time as a complement to their work day; and

WHEREAS, the failure to provide workers with fair wages; adequate health benefits; and quality leisure time results in a climate of stress and anxiety to workers while they provide services to the County; and

WHEREAS, the County awards taxpayer funded contracts to businesses some of which subcontract to other businesses to provide services to the public and to County government; and

WHEREAS, many service employees and their families both in Hudson County and throughout the State live at or below the poverty line; and

WHEREAS, the payment of such inadequate compensation and benefits tends to negatively affect the quality of service to the County and the public by fostering high turnover and instability in the workplace; and

WHEREAS, ensuring that businesses including subcontractors retained by those businesses benefitting from County funds promote the creation of jobs, which pay a living wage; provide reasonable health benefits; and afford reasonable leisure time to their employees, will increase the ability of residents in Hudson County and throughout the State to attain self-sufficiency, decrease economic hardship in the County and State, and reduce the need for the taxpayers to fund social services to provide supplemental support for the employees of local and state businesses; and

WHEREAS, a County policy to promote the creation of living wage jobs that provide adequate health benefits and leisure time to workers complements other County programs aimed at meeting the employment and economic development needs of Hudson County and its residents; and

WHEREAS, it is the purpose of this policy to ensure that businesses and subcontractors benefitting from taxpayer funds provide their employees with a living wage; reasonable health benefits; and adequate leisure time, thus redounding to the welfare and best interests of Hudson County and its residents while not unreasonably burdening vendors, contractors and subcontractors.

SECTION I

Pursuant to the provision of the Hudson County Administrative Code, Article 17, "Contracts and Purchases," the following minimum pay and benefits requirements must be complied with by vendors, contractors, and subcontractors who provide service workers by contract to the County of Hudson. For purposes relating to this Ordinance, a "service worker" is identified as an individual who provides services, as the term is commonly understood, as opposed to providing goods and/or commodities.

SECTION II

For purposes of this Ordinance a covered employee is a service worker performing services for a vendor, contractor or subcontractor who provides services to the County.

SECTION III

Such service workers who work at various County of Hudson work sites and/or pursuant to service contracts with the County of Hudson under contract shall receive the following minimum pay and benefits:

- (a) An hourly rate of pay of one hundred fifty percent (150%) of the Federal Minimum Wage at the time the contract is bid or renewed or proposals received; and
- (b) An annual paid vacation of five days or pay the service worker an hourly stipend equal to two percent (2%) of the County Living Wage (the "Hourly Vacation Benefit"); and
- (c) Medical benefits provided by the employer for each employee within ninety (90) days of hiring or pay the service worker an hourly stipend equal to twenty percent (20%) of the County Living Wage (the "Hourly Medical Benefit").

- (d) It is the intention of this Ordinance that the level of medical benefits provided by a vendor, contractor or subcontractor to a service worker be of a level so that the premium costs per service worker be equal to or more than the Hourly Medical Benefit pro-rated on an hourly basis. In the event that the premium costs per service worker is less than the Hourly Medical Benefit then in addition to any other benefits or payments made to a service worker the vendor, contractor, or subcontractor shall pay the service worker on an hourly basis the difference between the Hourly Medical Benefit and the amount paid for the medical benefits.

SECTION IV

- A. At the time the County awards a contract to a vendor the vendor shall furnish the County with the per employee premium cost it pays to provide medical benefits for its employees. The premium cost shall be that paid for single coverage.
- B. At the time the contract is awarded and on a quarterly basis thereafter (January 15th, May 15th, August 15th, and November 15th) the vendor shall supply for those employees who perform work on the County contract the names of its employees performing the work; the hourly wage paid to the employees; the number of vacation days provided to those employees or the hourly vacation benefit paid to those employees; proof of medical benefit coverage provided to those employees or the Hourly Medical Benefit provided to those employees.
- C. The reporting shall be on forms supplied by the County at the time the contract is awarded.
- D. All vendors, contractors or subcontractors governed by the terms of this Ordinance shall post in a prominent place or places of employment, in a conspicuous place or places a sign, to be designed and delivered by the County, which clearly reflects the terms of this Ordinance in English and Spanish.
- E. In addition to the posting of a sign or signs in the workplace or workplaces, it is recognized that some covered employees may not regularly visit such workplaces. Accordingly, all employers shall provide to their employees a notice in a form to be supplied by the County that describes this Ordinance in plain language and in both English and Spanish. The notice shall be distributed to and signed by all employees performing work pursuant to service contracts with the County.

SECTION V

Any vendor contractor or subcontractor who is governed by the terms of this Ordinance shall have no obligation to provide medical benefits, an Hourly Medical Benefit payment, annual vacation, or an Hourly Vacation Benefit to any employee who is paid an hourly rate of pay of at least three hundred percent (300%) of the Federal Minimum Wage.

Excluded from the provisions of this Ordinance shall be (i) any entity who is the recipient of County funds through a Public Donor Agreement entered into by the County pursuant to regulations and/or programs established by the State of New Jersey; (ii) any entity who receives funding by way of subgrants from the Community Development Block Grant funds received by the County; and (iii) any social services entity who receives funds from the County to supplement the general operations of the entity as opposed to performing a specific contract awarded by the County.

SECTION VI

Remedies for breach of the Living Wage Ordinance shall include:

- (a) Restitution to employees for unpaid wages.
- (b) Suspension of payments under the contract until restitution for unpaid wages is made.
- (c) Termination of the contract if restitution is not made.
- (d) Debarment from contracting with the County should restitution not be made and the contract is terminated. Debarment shall be pursuant to the provisions of N.J.S.A. 40A:11-4 and may be for up to five (5) years.

SECTION VII

The terms and conditions of this Ordinance shall be prospective only and shall not apply to any contract authorized prior to the effective date of this Ordinance. Nor shall this Ordinance apply during the period of any contract renewal included in a contract authorized prior to the effective date of this Ordinance.

Compliance with the requirements of this Ordinance shall be waived for any vendor, contractor and subcontractor currently under contract with the County if the Ordinance provisions vary with the terms of an existing bona fide collective bargaining agreement in place at the date of the enactment of this Ordinance, provided that all parties to the existing bona fide collective bargaining agreement in place at the date of the enactment of this Ordinance agree to a waiver of the application of this Ordinance. However, upon expiration of the term of the collective bargaining agreement, all provisions of this Ordinance shall apply.

BOARD OF CHOSEN FREEHOLDERS
COUNTY OF HUDSON

ORDINANCE

No.

On Motion of Freeholder _____
Seconded by Freeholder _____

SECTION VIII

This Ordinance shall take effect immediately and shall remain in full force and effect unless modified or rescinded. In the event that any portion of this Ordinance is invalidated by an order of a court of competent jurisdiction, that order shall not in any way effect the validity or effect of the remainder of this Ordinance.


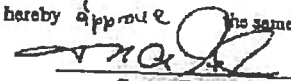
Freeholder	Abs	Pres	Abst	N.P.	Freeholder	Abs	Pres	Abst	N.P.
Curtis	/				O'Don	/			
D'Amico	/				Ryan				/
Della	/				Rivers				/
Lazio	/				Chelms Rosen	/			
Matta	/								

Source: Law Department
MEM/ek

It is hereby certified that at a regular meeting of the Board of Freeholders of the County of Hudson held on the 14 day of Feb. A.D. 2013, the foregoing ordinance was finally adopted with 7 members voting in the affirmative and 0 in the negative.

The foregoing ordinance having been duly presented to me, I hereby approve this same

Dated: 2/19/13 A.D. 2013

 Clerk
 County Executive

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

X. NEW BUSINESS

2. Settlement of Marlin and Municipal Capital

WHEREAS, the Hudson County Community College, (the "College") in seeking to upgrade its photocopy machines in 2011, entered into transactions involving a vendor named Bernard Ozarowski and his company known as Loyola, trading as Penguin Imaging, executed two (2) lease/financing agreements, one with Municipal Capital Corporation ("Municipal") and one with Marlin Bank ("Marlin"); and

WHEREAS, as a result of multiple issues that arose with the vendor and the performance of the vendor's promises, litigation was commenced and involved inter alia Municipal and Marlin; and

WHEREAS, Municipal had assigned it rights to Sovereign Bank (now known as Santander Bank) and Municipal, together with Santander, as assignee, as well as Marlin have negotiated settlements with the College to resolve the litigation as it relates to them, on terms which result in economic savings to the College; and

WHEREAS, the College seeks to have the settlements implemented through appropriate agreements and documents to be finalized by its counsel; and

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Hudson County Community College as follows:

1. The Board of Trustees does hereby approve and authorize its counsel to finalize appropriate agreements and documents to effect a settlement of the litigation with Marlin Bank pursuant to which the College's obligation under the lease/financing agreement with Marlin will be satisfied by the discounted single payment of \$148,520.

2. The Board of Trustees does hereby approve and authorize its counsel to finalize appropriate agreements and documents to effect a settlement of the litigation with Municipal Capital Corporation and its assignee Sovereign Bank (now known as Santander Bank) by the payment of monthly installments under the terms of the present lease/financing agreement but at the reduced amount of \$9,870 (in lieu of \$11,784) commencing with the installments due on and after November 1, 2013.

3. The Board of Trustees does hereby further confirm it's authorization for the College counsel to proceed with the current litigation against Bernard Ozarowski, and Loyola, trading as Penguin Imaging to pursue its claims against these entities.

INTRODUCED BY: Bakari Lee

SECONDED BY: Alfred Zampella

DATE: December 3, 2013

Callahan, Kevin	<u>AYE</u>
Fahrenheit, Karen	<u>AYE</u>
Fife, James	<u>AYE</u>

Kenny, Roberta
Kosakowski, Joanne
Lee, Bakari
Peña, Jeanette
Sires, Adrienne
Zampella, Alfred
Netchert, William, Chair

AYE

AYE

AYE

AYE

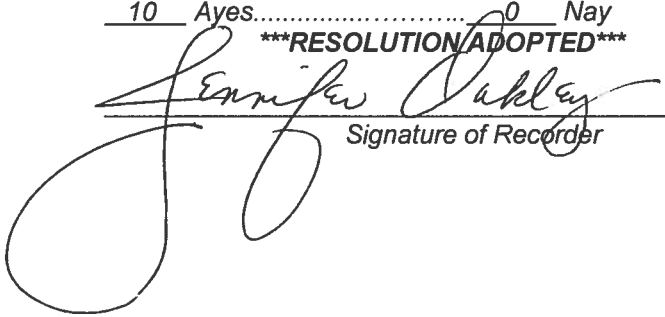
AYE

AYE

AYE

10 Ayes.....0 Nay

RESOLUTION ADOPTED

 12-3-13

Signature of Recorder Date

**HUDSON COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES MEETING
December 3, 2013**

XI. ADJOURNMENT

THAT, the meeting be adjourned at 5:55 P.M.

INTRODUCED BY: William Netchert

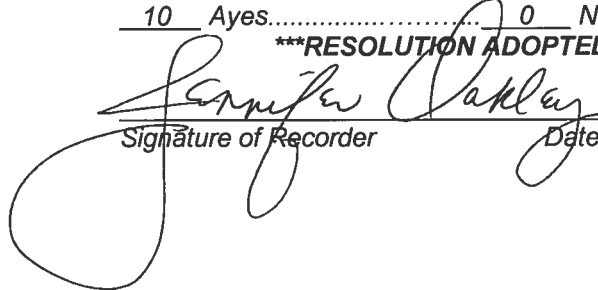
SECONDED BY: Karen Fahrenholz

DATE: December 3, 2013

Callahan, Kevin	<u>AYE</u>
Fahrenholz, Karen	<u>AYE</u>
Fife, James	<u>AYE</u>
Kenny, Roberta	<u>AYE</u>
Kosakowski, Joanne	<u>AYE</u>
Lee, Bakari	<u>AYE</u>
Peña, Jeanette	<u>AYE</u>
Sires, Adrienne	<u>AYE</u>
Zampella, Alfred	<u>AYE</u>
Netchert, William, Chair	<u>AYE</u>

10 Ayes..... 0 Nay

*****RESOLUTION ADOPTED*****

 12-3-13
Signature of Recorder Date