

**The College of New Jersey
Board of Trustees
October 5, 2010
3:00 p.m.
201 Loser Hall/106 Paul Loser Hall**

Minutes

Present: Susanne Svizeny, Chair; Christopher Gibson, Vice Chair; Robert Altman; Eleanor Horne; Rosie Hymerling; Anne McHugh; Barbara Pelson; Joshua Zeitz; Thomas Little, Student Trustee; Randi Lynn Veenstra, Alternate Student Trustee; Orlando Hernandez, Faculty Representative; John McCarty, Faculty Representative; Richard Kroth, Staff Representative; Jacqueline Deitch-Stackhouse, Staff Representative

Not Present: Brad Brewster, Secretary; Jorge Caballero; Gayle Matthei-Meredith; Miles Powell

I. Announcement of Compliance

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

II. Motion to go into closed session

It is moved by Mr. Gibson, seconded by Mrs. Hymerling, that the Board go into closed session to discuss personnel actions including Faculty New Appointments tenure track and appointments, and Staff New Appointments, Change of Status, Resignations, and Retirement; all pending litigation including Fiocco v. TCNJ, Shockley, Evans and Harris v. TCNJ, et al., William Rogers v. TCNJ and William Rudeau, Leonard v. TCNJ, anticipated litigation, and presidential evaluation; items exempt under the Open Public Meetings Act.

III. Closed Session

IV. Resumption of Public Session/Pledge of Allegiance

V. Swearing in of New Trustee

General Counsel Thomas Mahoney swore in Alternate Student Trustee Randi Lynn Veenstra.

VI. Approval of the Minutes of the July 13, 2010 Public Meeting

It was moved by Ms. Horne, seconded by Ms. McHugh, that the minutes be approved. The motion carried unanimously.

VII. Report of the President

Dr. Gitenstein gave her report.

VIII. Report of the Board Officers

A. Report of the Board Officers Nominating Committee

Dr. Altman report for the committee and announced the following slate of officers for 2010 – 2011:

Susanne Svizeny, Chair
Christopher Gibson, Vice Chair
Bradley Brewster, Secretary

It was moved by Dr. Altman, seconded by Ms. McHugh, that the slate of officers be approved. The motion carried unanimously.

IX. Report of the Trustee member of the TSC Corporation

No report given.

X. Report of the Trustee member of the TCNJ Foundation

No report given

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

Dr. Altman gave his report.

XII. New Business

A. Executive Committee

Mr. Gibson reported for the committee.

1. Faculty Actions – Attachment A

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

2. Staff Actions – Attachment B

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

3. **The College of New Jersey Board of Trustees Resolution Establishing a Non-State Defined Contribution Retirement Program – Attachment C**

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

4. **The College of New Jersey Board of Trustees Resolution Honoring Mr. John Marcy for Service to The College of New Jersey – Attachment D**

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

B. Academic Affairs

Dr. Altman reported for the committee.

1. **Resolution To Convert the Bachelor of Science in Engineering Science Specialization in Biomedical Engineering to a Full Bachelor of Science in Biomedical Engineering Degree (BSBME) – Attachment E**

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

C. Finance and Investments

Mr. Gibson gave the report for Mr. Caballero.

1. **Resolution Approving Waivers of Advertising for College Business Purposes – Attachment F**

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

D. Audit Risk Management and Compliance

Ms. McHugh reported for the committee.

1. **Resolution Approving Audited FY 2010 Financial Statements – Attachment G**

It was moved by Mr. Gibson, seconded by Dr. Altman, that the resolution be approved. The motion carried unanimously.

E. Building and Grounds

Mr. Gibson reported for the committee.

1. Resolution Concerning Submission of the Fiscal Year 2012 Capital Budget Request Totaling \$28,132,000 – Attachment H

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

2. Resolution Approving Waivers of Advertising for College Business Purposes – Attachment I

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

E. College Advancement

Ms. Horne reported for the committee.

F. Student Life and Enrollment Management

Mrs. Pelson reported for the committee.

XIII. Adjournment

Be It

Resolved: That the next public meeting of The College of New Jersey Board of Trustees, will be held on Tuesday, December 7, 2010 at a time and location to be announced.

Be It

Further

Resolved: That this meeting be adjourned.

Respectfully submitted,



Brad Brewster
Secretary

New Appointments –Tenure Track Faculty

Forrest Link	Library Librarian 2 Effective: July 31, 2010 – June 30, 2013
Sharon Whitfield	Library Librarian 2 Effective: October 18, 2010 – June 30, 2013

Faculty -- Appointments

Federica Anichini	Modern Languages Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
George Balog	Music Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Joanne Billmers	Chemistry Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Linda Burroughs	Elementary & Early Childhood Education Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Juan Du	School of Business Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Dolores Dzubaty	Nursing Instructor Temporary Effective: August 31, 2010 – June 30, 2011
Irene Ey	Library Librarian 2 Temporary Effective: August 31, 2010 – June 30, 2011

October 5, 2010

Faculty Appointments (continued)

Lillian Farhat	Modern Languages Instructor Temporary Effective: August 31, 2010 – June 30, 2011
Harlene Galen	Elementary & Early Childhood Education Instructor Temporary Effective: August 31, 2010 – June 30, 2011
Karen Allyn Gordon	Educational Administration & Secondary Education Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Eileen Heddy	Elementary & Early Childhood Education Instructor Temporary Effective: August 31, 2010 – June 30, 2011
Lorraine Heffernan	Library Librarian 3 Temporary Effective: Sept 7, 2010 – September 13, 2011
Stephanie Jacobs	Counselor Education Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Elizabeth Johnson	Mathematics & Statistics Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Hetty Joyce	Art Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Michael Kavic	Physics Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011

October 5, 2010

Faculty Appointments (continued)

Isabel Kentengian	Modern Languages Instructor Temporary Effective: August 31, 2010 – June 30, 2011
John Kuiphoff	Art Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
John Leonard	Music Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Mirela Manea-Krichten	Chemistry Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Amy Pacini	Nursing Instructor Temporary Effective: August 31, 2010 – June 30, 2011
Anne Peavy	Special Education, Language, & Literacy Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Karen Prince	Elementary & Childhood Education Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Kumiko Reichert	Library Librarian 3 Temporary Effective: August 31, 2010 – June 30, 2011
Nina Ringer	English Instructor Temporary Effective: August 31, 2010 – June 30, 2011

October 5, 2010

Faculty Appointments (continued)

Lisa Roe	Library Librarian 3 Temporary Effective: August 31, 2010 – June 30, 2011
Nicole Rook	Nursing Instructor Temporary Effective: August 31, 2010 – June 30, 2011
Ryan Ross	Health & Exercise Science Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Michael Rossi	Political Science Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Ellen Seradarian	Modern Languages Instructor Temporary Effective: August 31, 2010 – June 30, 2011
Michelle Stecker	Women's & Gender Studies Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Diane Steinberg	English Assistant Professor Temporary Effective: August 31, 2010 – June 30, 2011
Anthony Uzwiak	Biology Associate Professor Temporary Effective: August 31, 2010 – June 30, 2011
Mary Jane Vinch	Nursing Instructor Temporary Effective: August 31, 2010 – June 30, 2011

October 5, 2010

Faculty Appointments (continued)

Ann Warner Ault

Modern Languages
Assistant Professor
Temporary
Effective: August 31, 2010 – June 30, 2011

Mauro Zamora

Art
Assistant Professor
Temporary
Effective: August 31, 2010 – June 30, 2011

New Appointments – Staff

Erika Worthy

Office of Human Resources
Assistant Director
Effective: July 26, 2010

New Appointments – Temporary – Staff

Bryan Noyes

Athletics & Recreation
Project Specialist
Effective: September 11, 2010
End date: June 30, 2011

Change of Status - Staff

Sarah Cunningham

Art Department
From: Professional Services Specialist 3-10 mos.
To: Professional Services Specialist 2-10 mos.
Effective: September 1, 2010

Diane Gruenberg

The Liberal Learning Program
From: Assistant Director 1-10 mos.
To: Assistant Director 1-12 mos.
Effective: September 1, 2010

Resignations - Staff

Kevin Ewell

Admissions
Assistant Dean
Effective: September 10, 2010

Megan Furniss

Residential Education & Housing
Coordinator
Effective: August 14, 2010

John Marcy

College Advancement
Vice President
Effective: October 31, 2010

Rebecca McGrath

Grants & Sponsored Research
Program Assistant
Effective: July 7, 2010

Jason Neely

IT & Enrollment Services
Project Specialist
Effective: July 16, 2010

October 5, 2010

Resignations (continued)

Andrew Stutzman

User Support Services
Associate Director
Effective: September 10, 2010

Retirements – Staff

Patricia Coleman – Boatwright

Community Relations & Special Campus Events
Assistant Vice President
Effective: March 1, 2011

Barbara Wineberg

Office of the Treasurer
Treasurer
Effective: December 31, 2010

**The College of New Jersey Board of Trustees
Resolution Establishing a
Non-State Defined Contribution Retirement Program**

- Whereas: Chapter 31, P.L. 2010 (“SB 2094”), which took effect July 1, 2010 (the “Effective Date”), limits contributions to the Alternate Benefit Program (“NJABP”) for higher education employees whose salary exceeds the statutory maximum salary of Executive Branch department officers, which under N.J.S.A. 52:14-15.107 is \$141,000 for calendar year 2002 and thereafter (the “Salary Cap”);
- Whereas: Each employee of The College of New Jersey (the “College”) who participates in the NJABP (“NJABP Member”) contributes 5% of the NJABP Member’s salary toward the NJABP for that NJABP Member;
- Whereas: Prior to the Effective Date, the State of New Jersey contributed 8% of the base salary (“NJ State Contribution”) of a NJABP Member toward the NJABP for that NJABP Member, but only to the extent that base salary did not exceed the annual compensation limit imposed under section 401(a)(17) of the Internal Revenue Code of 1986, as amended (the “Code”), which is \$245,000 for plan year 2010 and may be adjusted thereafter to reflect inflation (the “IRS Compensation Limit”);
- Whereas: As of the Effective Date, the State of New Jersey shall continue to contribute NJ State Contributions toward the NJABP at the rate equal to 8% of the NJABP Member’s base salary, except that the amount of the NJ State Contributions may not exceed 8% of the Salary Cap;
- Whereas: By memorandum to Certifying Officers of the NJABP dated August 16, 2010, the State of New Jersey Department of the Treasury, Division of Pensions and Benefits has indicated that a State college or university is not precluded from establishing a program in addition to the NJABP for employer contributions with non-State funds covering a specific group of employees; and
- Whereas: The College wishes to establish a non-NJABP retirement program that satisfies the requirements of section 403(b) of the Code and to which the College, as plan sponsor, shall make ongoing annual contributions with non-State funds on behalf of affected employees in a dollar amount, not to exceed the IRS Compensation Limit, equivalent to the difference between (a) the amount of NJ State Contributions that would be contributed to the NJABP for a plan year if not for the Salary Cap and (b) the amount of NJ State Contributions that are actually contributed to the NJABP for the plan year (the “Shortfall Amount”).

October 5, 2010

Therefore,
Be It

Resolved: That the College hereby approves and authorizes the establishment of The College of New Jersey 403(b) Plan (the "College 403(b) Plan") to which the College, as plan sponsor, shall make ongoing contributions with non-State funds on behalf of affected employees in a dollar amount, not to exceed the IRS Compensation Limit, equivalent to the Shortfall Amount;

Be It
Further

Resolved: That for calendar year 2010, such contributions by the College shall be equivalent to the full Shortfall Amount, not to exceed the IRS Compensation Limit, notwithstanding that the College 403 (b) Plan is only in effect for a portion of the calendar year.

Be It
Further

Resolved: That the President of the College and other College officers she so designates are hereby authorized to engage outside counsel, consultants, administrators and vendors and, contingent upon Board Chair approval, after the certification by the President and Treasurer of the College of the availability of funds, to approve the form of and execute and deliver all necessary documents for the College 403(b) Plan and to do and perform such acts and to take such other actions as may be necessary or appropriate to implement the College 403(b) Plan; and

Be It
Further

Resolved : That the President is hereby authorized to appoint a plan administrator for the College 403(b) Plan to act in accordance with the College 403(b) Plan.

October 5, 2010

**The College of New Jersey Board of Trustees
Resolution Honoring Mr. John Marcy for Service to
The College of New Jersey**

Whereas: Mr. John Marcy was appointed to serve as Vice President for Development and Alumni Affairs in May 2005; and

Whereas: In February 2008 Mr. Marcy became the Vice President for College Advancement, successfully bringing together, the functions that now constitute the Division of Advancement; and

Whereas: Throughout his tenure, alumni participation in annual giving has grown; TCNJ received its largest-ever single gift; and the College's endowment increased from \$7 million to \$18 million; and

Whereas: Mr. Marcy has been an outstanding leader and an articulate advocate for the College; and

Whereas: In his work with the Board of Trustees, Mr. Marcy helped to facilitate the work of the College Advancement Committee, enhancing the effectiveness of the work of the Trustees; and

Whereas: Mr. Marcy was recently appointed to serve as Senior Vice President of Development of Robert Wood Johnson University Hospital and Executive Director of the RWJUH Foundation.

Therefore,
Be It

Resolved: That The College of New Jersey Board of Trustees hereby honors Mr. John Marcy for his dedication to the College and for the impact his leadership has made on the institution; and

Be It
Further

Resolved: That The College of New Jersey Board of Trustees joins President Gitenstein in wishing Mr. John Marcy great success in his new position.

Resolution To Convert the Bachelor of Science in Engineering Science Specialization in Biomedical Engineering to a Full Bachelor of Science in Biomedical Engineering Degree (BSBME)

- Whereas: The College of New Jersey's mission is to educate leaders of New Jersey and the nation and to prepare students to excel in their chosen fields of study; and
- Whereas: Currently, The College of New Jersey has both a Bachelor of Arts in Biomedical Engineering (BABME) for students planning a non-traditional engineering career such as medicine and a biomedical specialization within its Bachelor of Science in Engineering Science degree; and
- Whereas: Neither the BABME nor any program at the specialization-level can be accredited by ABET; and
- Whereas: The curriculum for the Biomedical Engineering specialization within Engineering Science is comparable to that in ABET-accredited biomedical engineering programs; and
- Whereas: Graduates of a BSBME program that could be accredited by ABET would benefit from increased degree recognition over a general Engineering Science program when seeking employment or admission to graduate school; and
- Whereas: The faculty of the School of Engineering, the Biomedical Engineering Program External Advisory Board, and the School of Engineering's Strategic Planning Committee recommend a Bachelor of Science in Biomedical Engineering (BSBME) as a stand-alone program; and
- Whereas: The existing faculty, equipment, laboratory, computer, and facilities resources of the School of Engineering are sufficient to support the proposed BSBME program.
- Therefore
Be It
Resolved: That The College of New Jersey Board of Trustees approves the conversion of the Specialization in Biomedical Engineering within the Bachelor of Science in Engineering Science to a Bachelor of Science in Biomedical Engineering degree (BSBME).

**Resolution Approving Waivers
Of Advertising
For College Business Purposes
(Finance and Investments Committee)**

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$30,100, and

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

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

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

VENDOR	PURPOSE	FUNDING SOURCE
Galapagos Network-Ecoventura \$63,080	Summer Study Program in Quito and Galapagos, Ecuador	Self Funded Revenue
Casa de Brasil \$53,820	Summer Study in Madrid, Spain	Self Funded Revenue
Forocio Travel Agency \$43,470	Student Accommodations and ground transportation for the Summer Study Program in Madrid, Spain	Self Funded Revenue
Harlaxton College \$89,936	Summer Study Program in Madrid, Spain	Self Funded Revenue
CEPA-Europe \$35,175	Summer Study Program in the Harlaxton Manor, England	Self Funded Revenue
Ewing Township \$15,000	Contribution to support the township's equipment replacement fund and for the recognition of volunteer services	Housing

**The College of New Jersey Board of Trustees
Resolution Approving Audited Fiscal Year 2010 Financial Statements**

Whereas: The Board of Trustees is authorized by statute (N.J.S.A. 18A:64-1 *et seq.*) and the By-laws (Section 2.r) to have prepared an annual independent financial audit of the College, and

Whereas: Pursuant to resolution of the Board of Trustees at its April 20, 2010 meeting, the College engaged the independent audit firm KPMG LLP to perform an independent audit of the College's financial statements for fiscal year 2010, and

Whereas: KPMG LLP has completed its audit of the College's financial statements for fiscal year 2010; and

Whereas: Management and KPMG LLP have presented the College's audited financial statements for fiscal year 2010 to the Audit, Risk Management and Compliance Committee and the Finance and Investment Committee at a joint meeting of those committees of the Board; and

Whereas: The Audit, Risk Management and Compliance Committee and the Finance and Investment Committee have reviewed and duly considered the College's audited financial statements for fiscal year 2010 and the Audit, Risk Management and Compliance Committee has recommended, with the concurrence of the Finance and Investment Committee, approval of those audited financial statements by the Board; and

Whereas: Copies of the College's audited financial statements for fiscal year 2010 that have been approved by the Board of Trustees are required to be submitted to the State Treasurer by November 1, 2010.

**Therefore,
Be It**

Resolved: That the Board of Trustees hereby approves the audited financial statements for fiscal year 2010.

**Resolution Concerning Submission of the
FY 2012 Capital Budget Request
Totaling \$28,132,000**

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

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

Whereas: The FY 2012 – 2018 capital budget request prepared in accordance with the FY 2012 – 2018 Division of Budget and Accounting planning guidelines has been reviewed with the Buildings and Grounds Committee of The College of New Jersey Board of Trustees; and

Whereas: The Buildings and Grounds Committee of the Board has recommended its approval.

Therefore, Be
It Resolved: That the Board of Trustees approves the Capital Budget Request totaling \$28,132,000 for fiscal year 2012 and \$249,309,000 for the seven year term of 2012 – 2018.

October 5, 2010

**Resolution Approving Waivers
Of Advertising
(Building and Grounds)**

Whereas: State College Contracts Law permits waivers of advertising for specified purchases in excess of \$30,100, and

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

Whereas: Waiver requests have been reviewed and are recommended by the Building and Grounds Committee, a subcommittee of The College of New Jersey Board of Trustees.

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

VENDOR	PURPOSE	FUNDING SOURCE
State of New Jersey Department of Community Affairs \$32,950	Plan review and permitting fees	BSC Asset Renewal Reserves (20%) E&G Asset Renewal Reserves (63%) Housing Asset Renewal Reserves (17%)
Windels Marx Lane & Mittendorf \$78,000	Legal services related to the Campus Town Project	Capital Reserves
Colm Engineering \$66,550	Design services related to the Music Building HVAC improvements	E & G Asset Renewal Reserves
Entech Engineering \$36,250	Design services related to the Manhole Renewal project	E & G Asset Renewal Reserves (50%) Housing Asset Renewal Reserves (50%)
Paulus, Sokolowski & Sartor \$16,846	Additional design services related to the Eickhoff roof replacement project	Housing Asset Renewal Reserves
TBS Services, Inc. \$101,970	Design services related to the BSC Roof/Envelope project	BSC Asset Renewal Reserves

October 5, 2010