



## STOCKTON UNIVERSITY BOARD OF TRUSTEES SPECIAL MEETING

WEDNESDAY, AUGUST 8, 2018

### AGENDA

The Meeting will open to the public at approximately 3:30 p.m. in the President's Office Conference Room, K203r. Immediately following action on the resolution to meet in closed session, members of the public will be asked to leave the room.

**The Board will reconvene for the Open Public meeting at approximately 4:00 p.m. in the President's Office Conference Room, K203r.**

Notice of Public Meeting: As required by the Open Public Meetings Act, on August 9, 2018, a notice of this meeting and Public Hearing, the dates, times and locations of a Special Meeting of the Stockton University Board of Trustees Public Meetings were: (a) posted on the University's website, (b) forwarded to Business Services/Bursar's Office at the University, the *Press of Atlantic City*, the *Daily Journal*, (c) and filed with the Secretary of the State of New Jersey, Galloway Township Clerk's Office, and Atlantic County Clerk's Office.

- 1) Call to Order and Roll Call
- 2) [Action Item: Resolution: Meet in Closed Session](#)

The Board will approve a resolution to meet in closed session to review and discuss concerns related to the authorization and execution of sale of TJM property.

- 3) [Action Item: Resolution: Authorization and Execution of Purchase of TJM Property](#)

The Board will approve a resolution to meet in closed session to review and discuss concerns related to the authorization and execution of sale of property: TJM property.

- 4) [Action Item: Resolution: Bid Waiver Contracts](#)
- 5) Comments from the Board of Trustees/Public

The next regularly scheduled meeting of the Board of Trustees will be held at 4:30 p.m. on Wednesday, September 26, 2018 in the Campus Center, Board of Trustees Room.

Adjournment

**STOCKTON UNIVERSITY**

**BOARD OF TRUSTEES**

**RESOLUTION**

**MEET IN CLOSED SESSION**

- WHEREAS,** the Open Public Meeting Act (P.L. 1975, Ch. 231) permits public bodies to exclude the public from discussion of any matter as described in subsection 7(b) of the Act, provided that the public body adopts a resolution at a public meeting indicating its intent to hold a closed session; and
- WHEREAS,** subsection 7(b) of the Act contains exclusions for personnel matters; terms and conditions of employment; collective bargaining agreements, including negotiated positions; anticipated or pending legislation; and any matters involving the purchase, lease, or acquisition of real estate property; therefore, be it
- RESOLVED,** that the Board of Trustees shall meet in closed session to discuss the form and substance of the purchase and sale agreement and the terms and conditions of the proposed purchase of the TJM property; and be it further
- RESOLVED,** that the discussion of these matters may, or may not, be disclosed to the public during that portion of the meeting which convenes at approximately 4:00 p.m.

**STOCKTON UNIVERSITY**

**BOARD OF TRUSTEES**

**RESOLUTION**

**AUTHORIZATION OF AGREEMENT FOR PURCHASE OF PROPERTY**  
**TJM ATLANTIC CITY PROPERTY**

- WHEREAS,** The Board of Trustees of Stockton University (“University”) has the responsibility for general financial oversight of property acquisitions and sales for the University; and
- WHEREAS,** The Board of Trustees is authorized to enter into contracts to purchase or sell land, building and property that are deemed necessary or advisable for the Board to carry out the purposes of the University, as set forth in N.J.S.A. 18A:64-6(k) and (q); and
- WHEREAS,** In August, 2018, the University will open a new campus in Atlantic City that will include academic and residential facilities to create a living and learning community to benefit the University community and the residents of Atlantic City, the region and New Jersey; and
- WHEREAS,** A property is available for sale that is located nearby the new Atlantic City campus consisting of 11 upland lots totaling approximately 9 acres, one beach lot totaling approximately 11 acres, a nine level parking garage containing approximately 550,000 square feet for parking and approximately 50,000 square feet of office space, and a 23-story hotel tower and improvements (“Hotel Tower”), all of which have been unoccupied since 2014 (collectively, the “Property”); and
- WHEREAS,** The Board of Trustees determined that the purchase of the Property will be a strategic capital investment to support the future growth of the Atlantic City campus, to provide additional opportunities to attract and recruit New Jersey students, and to stem the outmigration of New Jersey students who enroll in college and leave New Jersey; and
- WHEREAS,** On July 18, 2018, the Board of Trustees discussed in closed session the proposed purchase of the Property and authorized the President, with the advice of the Office of General Counsel, to negotiate a purchase and sale agreement with the Seller, including demolition of the Hotel Tower by the Seller; and
- WHEREAS,** On the date hereof, in closed session, the President presented and the Board of Trustees discussed the form and substance of the purchase and sale agreement and the terms and conditions of the proposed purchase of the Property, which includes the University’s right to conduct due diligence of the Property upon execution of the purchase and sale agreement and to terminate the purchase and sale agreement during the due diligence period; and
- WHEREAS,** The Board of Trustees has determined that the purchase of the Property in accordance with the purchase and sale agreement is in the best interests of the

University; now therefore be it,

**RESOLVED,** that subject to (A) submission of a report to the Governor, the Legislature, the Secretary of Higher Education and the State Comptroller in accordance with N.J.S.A. 18A:3B-6.2, and (B) review of the purchase and sale agreement by the New Jersey Office of the State Comptroller, the Board of Trustees hereby approves and authorizes the purchase of the Property in accordance with the purchase and sale agreement, and further authorizes the President and in his absence, the Vice President of Administration and Finance, with the advice of the Executive Committee and the Office of General Counsel, to execute and deliver the purchase and sale agreement on behalf of the University and such other documents and certificates, and to do and perform such other actions, as may be necessary or appropriate to effectuate the purchase of the Property.

August 8, 2018

**STOCKTON UNIVERSITY**  
**BOARD OF TRUSTEES**  
**RESOLUTION**

**BID WAIVER CONTRACTS**

- WHEREAS,** N.J.S.A. 18A:64-56 (The State College Contracts Law) authorizes college Boards of Trustees to approve waivers of the public bid process for procurement of specified goods and services in furtherance of the missions of the state colleges; and
- WHEREAS,** the Board of Trustees finds the following purchases, contracts and agreements have met the criteria for award without public bid under the provisions of N.J.S.A. 18A:64-56; therefore, be it
- RESOLVED,** that the Stockton University Board of Trustees authorizes the President or the President's designee to enter into contracts with the vendors indicated below, under the bid waiver provisions of the State College Contracts Law.

**Vendors & Categories**

**FY and Amount**

**Professional Services**

**Sykes O'Connor Salerno Hazaveh PA DBA SOSH Architects (519013)** **FY19: \$72,500**  
This bid waiver from the Office of Facilities Planning and Construction will provide the University with professional services in relation to the Authorization of Agreement for Purchase of Property, TJM Atlantic City Property, located nearby the new Atlantic City campus. SOSH Architects will (1) develop a comprehensive assessment of all building systems; and (2) refine concepts for ground floor design, office area, elevator cores, and number of parking spaces to produce a Due Diligence Report (Phase II) pursuant to its August 1, 2018 Proposal Letter, including subcontractor's proposal from PS&S, also dated August 1, 2018, as set forth in the Proposal Letter. The amount requested for this engagement is in addition to SOSH's Due Diligence Report (Phase I) in the amount of \$32,000. (Reference: N.J.S.A.18A:64-56 (a) [01])

**Saul Ewing LLP (519014)** **FY19: \$60,000**  
This bid waiver contract will provide the University with legal services in connection with various litigation matters. (Reference: N.J.S.A.18A:64-56 (a) [01])

**Post & Schell, P.C. (519015)** **FY19: \$60,000**  
This bid waiver contract will provide the University with legal services related to Title IX investigations and other assigned legal issues. (Reference: N.J.S.A.18A:64-56 (a) [01])

August 8, 2018