



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

December 8, 2015
11:00 a.m.
Waterfront Technology Center
200 Federal Street
Camden, NJ 08103

AGENDA

EXECUTIVE SESSION

(11:00 a.m. to 12:00 p.m. as authorized by Resolution #2015.06.04)

PUBLIC SESSION – 12:00 p.m.

CALL TO ORDER

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MEETING MINUTES

CEO REPORT

PUBLIC COMMENT ON AGENDA ITEMS

MATTERS PRESENTED BY THE CHAIRMAN

- 2015.12.01 Resolution ratifying the acquisition of Lots 50,56,58,61,62, and 66 on Block 181 from VP Camden Broadway Emerald, LLC to advance a Joint Health Science Campus.
- 2015.12.02 Resolution ratifying the acquisition of Lots 46,47,48 and 49 on Block 181 from FIFTH & MICKLE, LLC to advance a Joint Health Science Campus.
- 2015.12.03 Resolution ratifying the acquisition of Lot 45 on Block 181 from Mr. Jack Miller to advance a Joint Health Science Campus.

- 2015.12.04 Resolution ratifying the acquisition of Lots 88 and 89 on Block 181 from Mr.& Mrs. Robert and Susan Granatt and Mr. Robert Granatt respectively to advance a Joint Health Science Campus.
- 2015.12.05 Resolution authorizing the acquisition of Lots 63 and 64 on Block 181 from Mr. & Mrs. Chae Hwan and Tammy Ham to advance a Joint Health Science Campus.
- 2015.12.06 Resolution approving design fees for the Joint Health Science Center Project to HOK/Joseph F. McKernan Jr. Architects & Associates.
- 2015.12.07 Resolution authorizing the Rowan University/Rutgers – Camden Board of Governors to act as the fiscal agent to the Camden Higher Education and Health Care Task Force to advance an economic impact study.
- 2015.12.08 Resolution approving appointment of outside legal counsel for the Rowan University/Rutgers – Camden Board of Governors.
- 2015.12.09 Resolution authorizing the Chief Executive Officer to issue an Request For Qualifications from vendors to locate a café in the Joint Health Sciences Center.
- 2015.12.10 Resolution authorizing the Chief Executive Officer to enter into relocation agreements with tenants located in properties being purchased by the Rowan University/Rutgers – Camden Board of Governors (“Board”) from VP Camden Broadway Emerald, LLC consistent with the operating authority thresholds established in the Board’s Executive Session.
- 2015.12.11 Resolution ratifying the tenant relocation agreement memorialized between the Rowan University/Rutgers – Camden Board of Governors and Mr. Soek Moon.
- 2015.12.12 Resolution authorizing the Chief Executive Officer to procure the services of a Construction Management firm for the Joint Health Science Center Project.

COMMENTS BY BOARD MEMBERS

PUBLIC COMMENT ON NON-AGENDA ITEMS

CLOSING COMMENTS

ADJOURNMENT



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

RESOLUTION

Purchase of properties to advance the Joint Health Sciences Campus No. 2015.12.01

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter "Board"), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, acquiring property is considered a front-end activity requiring careful planning and execution within a prescribed legal framework; and

WHEREAS, pursuant to Board Resolution No. 2015-04-06, the Chief Executive Officer and counsel have negotiated the acquisition of lots 50,56,58,61,62, and 66 on Block 181 from VP Camden Broadway Emerald, LLC ("VP Camden") and have executed a Memorandum of Understanding consistent with the operating authority granted by the Board in Executive Session; and

WHEREAS, pursuant to the Eminent Domain Act, *N.J.S.A. 20:3-6*, the Board and VP Camden have engaged in bona fide negotiations and have settled and resolved all outstanding issues respecting (a) the authority of the Board to acquire, (b) the amount of just compensation and relocation assistance to be paid to VP Camden, (c) responsibility for environmental remediation, (d) obligations of VP Camden toward tenants, (e) time of possession, and (f) all other issues arising out of the acquisition aforesaid; and

WHEREAS, the Eminent Domain Act, *N.J.S.A. 20:3-14* permits the Board and VP Camden to agree upon all or any part or any item of compensation to be paid in connection with the acquisition aforesaid; and

WHEREAS, the Board and VP Camden have agreed upon a process to complete the acquisition aforesaid in accordance with law;

WHEREAS, the Board and VP Camden memorialized their agreement as set forth herein and to incorporate same as terms binding upon the Parties in an acquisition to be instituted by the Board pursuant to the Eminent Domain Act, *N.J.S.A. 20:3-1 et seq.* and *Rule 4:73* in order to settle and dispose of the rights of other claimants, if any;

NOW, THEREFORE, BE IT RESOLVED that the Board is ratifying the agreement reached by the Board and VP Camden to acquire lots 50,56,58,61,62, and 66 on Block 181 from VP Camden pursuant to the Eminent Domain Act, *N.J.S.A. 20:3-1* et. seq. and *Rule 4:73* in the amount not to exceed Three Million Five Hundred Thirty Seven Thousand Five Hundred (\$3,537,500.00) Dollars as and for just compensation for the acquisition of the properties, inclusive of VP Camden's claims for relocation assistance.

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers - Camden Board of Governors
December 8, 2015**



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

RESOLUTION

Purchase of properties to advance the Joint Health Sciences Campus No. 2015.12.02

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter "Board"), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, acquiring property is considered a front-end activity requiring careful planning and execution within a prescribed legal framework; and

WHEREAS, pursuant to Board Resolution No. 2015-04-06, the Chief Executive Officer and counsel have negotiated the acquisition of Lots 46,47,48 and 49 on Block 181 from FIFTH & MICKLE, LLC; and

WHEREAS, the Board granted the Chief Executive Officer operating authority in Executive Session to negotiate and memorialize agreements to purchase property for purposes of developing the Joint Health Sciences campus; and

WHEREAS, the acquisition price is based on a fair market value derived from an appraisal commissioned by the Board and engagement of good faith negotiations between the parties.

NOW, THEREFORE, BE IT RESOLVED that the Board is authorizing the acquisition of property from FIFTH & MICKLE, LLC, owner of Lots 46,47,48 and 49 on Block 181 in the amount of Six Hundred and Thirty Two Thousand, Seven Hundred and Fifty (\$632,750) Dollars; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers - Camden Board of Governors
December 8, 2015**



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

RESOLUTION

Purchase of properties to advance the Joint Health Sciences Campus No. 2015.12.03

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter "Board"), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, acquiring property is considered a front-end activity requiring careful planning and execution within a prescribed legal framework; and

WHEREAS, pursuant to Board Resolution No. 2015-04-06, the Board has authorized the Chief Executive Officer to initiate the process to acquire property to develop the Joint Health Science Campus; and

WHEREAS, Lot 45 on Block 181, an empty lot, was identified as a property to be acquired to develop the Joint Health Science Campus; and

WHEREAS, the Board commissioned an appraisal of the property and the appraiser valued the property at Eleven Thousand (\$11,000) Dollars; and

WHEREAS, the Board sought to provide notice of its interest to acquire the property but failed to reach the owner after multiple attempts; and

WHEREAS, in Executive Session, the Board gave the counsel authority to file a declaration of taking consistent with *N.J.S.A. 18A:64M-38.1*, *N.J.S.A. 20:3-17 et seq.* and *N.J.S.A 18A:64M-38.1*; and

WHEREAS, a court of appropriate jurisdiction has scheduled a hearing to consider the Board's application to have the title for Lot 45, Block 181 conveyed to the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board is ratifying the decision to file a declaration of taking and to post in a court directed escrow Eleven Thousand (\$11,000) Dollars as just compensation for the taking of Lot 45, Block 181, including any and all outstanding liabilities; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

Rowan University/Rutgers - Camden Board of Governors
December 8, 2015



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

RESOLUTION

Purchase of properties to advance the Joint Health Sciences Campus No. 2015.12.04

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter "Board"), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, acquiring property is considered a front-end activity requiring careful planning and execution within a prescribed legal framework; and

WHEREAS, pursuant to Board Resolution No. 2015-04-06, the Board has authorized the Chief Executive Officer to initiate the process to acquire property to develop the Joint Health Science Campus; and

WHEREAS, Lots 88 and 89 on Block 181, which are empty, have been identified as properties to be acquired to develop the Joint Health Science Campus; and

WHEREAS, the Board commissioned an appraisal of the property and the appraiser valued the property at Twenty Five Thousand (\$25,000) Dollars; and

WHEREAS, the Board sought to provide notice of its interest to acquire the property but failed to reach the owners after multiple attempts; and

WHEREAS, in Executive Session, the Board gave the counsel authority to file a declaration of taking consistent with *N.J.S.A. 18A:64M-38.1*, *N.J.S.A. 20:3-17 et seq.* and *N.J.S.A 18A:64M-38.1*; and

WHEREAS, a court of appropriate jurisdiction has scheduled a hearing to consider the Board's application to have the title for Lots 88 and 89, Block 181 conveyed to the Board.

NOW, THEREFORE, BE IT RESOLVED that the Board is ratifying the decision to file a declaration of taking and to post in a court directed escrow Twenty Five Thousand (\$25,000) Dollars as just compensation for the taking of Lots 88 and 89, Block 181, including any and all outstanding liabilities; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

Rowan University/Rutgers - Camden Board of Governors
December 8, 2015



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

RESOLUTION

Purchase of properties to advance the Joint Health Sciences Campus No. 2015.12.05

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter "Board"), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, acquiring property is considered a front-end activity requiring careful planning and execution within a prescribed legal framework; and

WHEREAS, pursuant to Board Resolution No. 2015-04-06, the Board has authorized the Chief Executive Officer to initiate the process to acquire property to develop the Joint Health Science Campus; and

WHEREAS, Lots 63 and 64 on Block 181, owned by Mr. & Mrs. Chae Hwan and Tammy Ham, have been identified as properties to be acquired to develop the Joint Health Science Campus; and

WHEREAS, in Executive Session, the Board has given the Chief Executive Officer the operating authority to take all necessary actions consistent with *N.J.S.A. 18A:64M-38.1*, *N.J.S.A. 20:3-17 et seq.* and *N.J.S.A. 18A:64M-38.L*.

NOW, THEREFORE, BE IT RESOLVED that the Board is authorizing the Chief Executive Officer to take all necessary actions consistent with *N.J.S.A. 18A:64M-38.1*, *N.J.S.A. 20:3-17 et seq.* and *N.J.S.A. 18A:64M-38.L* to acquire Lots 63 and 64 on Block 181, owned by Mr. & Mrs. Chae Hwan and Tammy Ham; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers - Camden Board of Governors
December 8, 2015**



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

RESOLUTION Architectural Fees No. 2015.12.06

WHEREAS, the Rowan University/Rutgers-Camden Board of Governors (hereinafter “Board”), has been constituted under New Jersey Medical and Health Sciences Education Restructuring Act (hereinafter “Restructuring Act”), P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board will be undertaking the development and construction of a Health Science Center in Camden (hereinafter the “Project”); and

WHEREAS, pursuant to Board Resolution No. 2014-10-02, the Board authorized the engagement of HOK/Joseph F. McKernan Jr. Architects & Associates (“Architect”) for program development and design of the Project; and

WHEREAS, pursuant to the terms of the contract, the Architect has completed the program development phase; and

WHEREAS, Board has negotiated the fees with the Architect for the design phase of the Project; and

NOW, THEREFORE, BE IT RESOLVED that the Board is authorizing HOK/Joseph F. McKernan Jr. Architects & Associates to commence the design of the Project; and

BE IT FURTHER RESOLVED that the Board is authorizing a fee of Two Million Seven Hundred and Eighty Thousand and One Hundred (\$2,780,100) Dollars; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers-Camden Board of Governors
December 8, 2015**



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

Resolution Outside Legal Counsel Appointment No. 2015-12-08

WHEREAS, the Rowan University/Rutgers-Camden Board of Governors (hereinafter "Board "), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012 , c.45, s.34; and

WHEREAS, the Board will be undertaking the development and construction of a Health Science Campus in Camden and as such will require outside legal services with regards to governance, construction, real estate, and financing matters; and

WHEREAS, on November 16, 2014, the Board issued a Request for Proposals for outside legal counsel services; and

WHEREAS, the procurement committee considered the proposals from various law firms and selected the firm that is best positioned to represent the Board; and

NOW, THEREFORE, BE IT RESOLVED that the Board is approving the appointment of Cozen O'Connor as outside legal counsel; and

BE IT FURTHER RESOLVED that the Board is authorizing the engagement of legal services to an amount not to exceed Three Hundred Thousand (\$300,000) Dollars for fiscal year 2016; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers – Camden Board of Governors
December 8, 2015**



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

Relocation Assistance No. 2015-12-10

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter “Board”), has been constituted under the “New Jersey Medical and Health Sciences Education Restructuring Act,” P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, acquiring property is considered a front-end activity requiring careful planning and execution within a prescribed legal framework; and

WHEREAS, pursuant to state law, the Board is required to provide relocation assistance to commercial tenants who are required to move their businesses due to the acquisition of properties by the Board; and

WHEAREAS, the Board has entered into an Memorandum of Understanding to purchase lots 50,56,58,61,62, and 66 on Block 181 from VP Camden Broadway Emerald, LLC (“VP Camden”); and

WHEAREAS three tenants – Broadway Food Court, Villa – Join the Movement and For Your Nails Only – are currently leasing retail stores located on lot 56, 61 & 62, and 66 respectively from VP Camden; and

WHEARAS, the Board has notified the tenants of its intent to acquire the properties and is in the process of negotiating a relocation package; and

WHEARAS, the Board has given the Chief Executive Officer the operating authority to negotiate and execute a relocation agreement with each of the tenants currently leasing from VP Camden.

NOW, THEREFORE, BE IT RESOLVED that the Board is authorizing the Chief Executive Officer to negotiate and memorialize relocation agreements consistent with the financial limits established by the Board in Executive Session.; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers - Camden Board of Governors
December 8, 2015**



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

Relocation Assistance No. 2015-12-11

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter "Board"), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, acquiring property is considered a front-end activity requiring careful planning and execution within a prescribed legal framework; and

WHEREAS, pursuant to state law, the Board is required to provide relocation assistance to commercial tenants who are required to move their businesses due to the acquisition of properties by the Board; and

WHEREAS, the Board has made a fair market offer to Sam Steingart and Victoria Gaft, owners of Block 181, Lot 60; and

WHEREAS Mr. Soek Moon was leasing 211 Broadway, Camden, New Jersey, Camden County, New Jersey 08103, which is owned by Sam Steingart and Victoria Gaft and located within Block 181, lot 60; and

WHEREAS, the Board has negotiated and memorialized a full, fair and final relocation agreement with Mr. Soek Moon; and

WHEREAS, the Chief Executive Officer has the operating authority to execute the agreement and process the relocation expense.

NOW, THEREFORE, BE IT RESOLVED that the Board is ratifying the relocation agreement memorialized between the Board and Mr. Soek Moon in the amount of Eleven Thousand Five Hundred (\$11,500) Dollars; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers - Camden Board of Governors
December 8, 2015**



ROWAN UNIVERSITY/RUTGERS-CAMDEN BOARD OF GOVERNORS

Resolution Construction Management Firm Procurement No. 2015-12-12

WHEREAS, the Rowan University/Rutgers - Camden Board of Governors (hereinafter "Board"), has been constituted under the "New Jersey Medical and Health Sciences Education Restructuring Act," P.L.2012, c.45, s.34; and

WHEREAS, the Board is an instrumentality of the State of New Jersey; and

WHEREAS, the Board can plan the operational and governance structure of health science facilities in addition to financing and developing them in Camden;

WHEREAS, the Board has the authority to acquire, own, lease, dispose of, use and operate property; and

WHEREAS, the Board is undertaking the development and construction of a Joint Health Sciences Campus in Camden; and

WHEREAS, as a first phase, the Board is initiating a Joint Health Science Center project (hereinafter "Project"); and

WHEREAS, consistent with industry standards, it is appropriate to engage the services of a construction management firm during the design phase to ensure that the cost and constructability issues are addressed on a timely basis.

NOW, THEREFORE, BE IT RESOLVED that the Board is authorizing the Chief Executive Officer to procure the services of a construction management firm; and

BE IT FURTHER RESOLVED that this Resolution will take effect immediately.

**Rowan University/Rutgers - Camden Board of Governors
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