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Eric D. Brophy, Esq.
Executive Director

**MINUTES OF THE MEETING OF THE
NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY
HELD AT 103 COLLEGE ROAD EAST, PRINCETON, NEW JERSEY
ON THURSDAY, JUNE 27, 2019**

The meeting was called to order at 10:05 a.m. by Chair Hodes. The New Jersey Educational Facilities Authority gave notice of the time, place and date of this meeting via fax and email on June 17, 2019, to The Star Ledger, The Times of Trenton and the Secretary of State and by posting the notice at the offices of the Authority in Princeton, New Jersey. Pursuant to the New Jersey Open Public Meetings Act, a resolution must be passed by the New Jersey Educational Facilities Authority in order to hold a session from which the public is excluded.

AUTHORITY MEMBERS PRESENT:

Joshua Hodes, Chair (via phone)
Ridgeley Hutchinson, Vice Chair (via phone)
Elizabeth Maher Muoio, State Treasurer, Treasurer (represented by David Moore [via phone])
Louis Rodriguez (via phone)
Zakiya Smith Ellis, Secretary of Higher Education (via phone)

AUTHORITY MEMBERS ABSENT:

None

STAFF PRESENT:

Eric D. Brophy, Executive Director
Sheryl A. Stiff, Deputy Executive Director
Steven Nelson, Director of Project Management
Brian Sootkoos, Director of Finance-Controller
Ellen Yang, Director of Compliance Management
Zachary Barby, Communications/IT Coordinator
Rebecca Clark, Associate Project Manager
Matthew Curtis, Information Technology Manager
Carl MacDonald, Project Manager
Jamie O'Donnell, Senior Communications Manager
Sheila Toles, Exec. Asst./Human Resources Manager

ALSO PRESENT:

George Loeser, Esq., Deputy Attorney General
Craig Ambrose, Esq., Governor's Authorities Unit (via phone)

ITEMS OF DISCUSSION

1. Resolution of the New Jersey Educational Facilities Authority Amending its By-Laws

Ms. Yang reported that Article II, Section 1 of the Authority's By-Laws presently identified the Chair of the Commission on Higher Education as one of the Authority's ex-officio members. She explained that since the Commission on Higher Education had been abolished and that the Secretary of Higher Education was empowered to exercise all powers and duties previously exercised by the Commission, it was proposed that Article II, Section 1 be amended to reflect that the Secretary of Higher Education is an *ex-officio* member of the Authority.

Ms. Yang reported that Article III, Section 12 of the By-Laws needed clarity as to the circumstances under which the State Treasurer could make a recommendation to the Chair for a third member of the Audit Committee, as set forth in E.O. 122. She explained that those circumstances include: when the Treasurer was elected to serve as the Authority's Treasurer; when the Authority does not have sufficient members qualified or available to serve on the Audit Committee; or when the Authority wished to broaden the expertise on the Audit Committee.

Mr. Hutchinson moved the adoption of the following entitled resolution:

RESOLUTION OF THE NEW JERSEY EDUCATIONAL FACILITIES
AUTHORITY AMENDING ITS BY-LAWS

The motion was seconded by Mr. Rodriguez and passed unanimously.

The adopted resolution is appended as Exhibit I.

2. Resolution of the New Jersey Educational Facilities Authority Acknowledging and Accepting the State Treasurer's Recommendation and Electing a Representative to the Audit Committee

Ms. Yang reported that at the Authority's Annual Meeting on May 28, 2019, the Members elected the State Treasurer to serve as the Authority's Treasurer and also elected Ridgeley Hutchinson, a public member of the Authority with significant financial experience, to serve as members of the Audit Committee. She reported that since the State Treasurer was elected as the Authority's Treasurer, pursuant to Article III, Section 12 of the By-Laws, the State Treasurer could make a recommendation to the Chair for a third member of the Audit Committee. Ms. Yang reported that the State Treasurer recommended Ryan Feeney (Public Finance Manager in the Department of Treasury) to become a third member of the Audit

Committee and that the resolution acknowledged and accepted the recommendation.

Mr. Hutchinson moved the adoption of the following entitled resolution:

RESOLUTION OF THE NEW JERSEY EDUCATIONAL FACILITIES
AUTHORITY ACKNOWLEDGING AND ACCEPTING THE STATE
TREASURER'S RECOMMENDATION AND ELECTING A
REPRESENTATIVE TO THE AUDIT COMMITTEE

The motion was seconded by Mr. Rodriguez and passed unanimously.

The adopted resolution is appended as Exhibit II.

3. Report on Operating and Construction Fund Statements and Disbursements

Mr. Sootkoos reviewed the Results of Operations and Budget Variance Analysis and reported on the status of construction funds and related investments for May 2019.

Mr. Rodriguez moved that the reports be accepted as presented; the motion was seconded by Secretary Smith Ellis and passed unanimously.

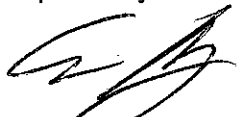
The reports are appended as Exhibit III.

4. Next Meeting Date

Mr. Hodes reminded everyone that the next meeting is scheduled for Tuesday, July 30th at 10:00 a.m. at the Authority offices and requested a motion to adjourn.

Mr. Hutchinson moved that the meeting be adjourned at 10:12 a.m. The motion was seconded by Secretary Smith Ellis and passed unanimously.

Respectfully submitted,



Eric D. Brophy
Secretary

**RESOLUTION OF THE NEW JERSEY EDUCATIONAL FACILITIES
AUTHORITY AMENDING ITS BY-LAWS**

Adopted: June 27, 2019

WHEREAS: The New Jersey Educational Facilities Authority (the “Authority”) was created pursuant to the New Jersey Educational Facilities Authority Law, P.L. 1967, c. 271, N.J.S.A. 18A:72A-1 et seq., as amended and supplemented (the “Act”) and authorized to issue its obligations to provide a means for New Jersey public and private colleges and universities to obtain financing to construct educational facilities as defined in the Act; and

WHEREAS: The Authority, by formal vote on November 3, 1966, adopted the By-Laws of the Authority; and

WHEREAS: The Authority, from time to time, by formal votes and most recently on November 30, 2017, has amended the By-Laws of the Authority to update certain provisions thereof; and

WHEREAS: Pursuant to Article V, Section 1 of the By-Laws of the Authority, the By-Laws may be amended by a resolution duly adopted by at least four Members of the Authority at any regular or special meeting, provided that notice of intention to present such resolution shall be given at least five (5) days prior to the meeting of the Authority at which the motion to adopt such resolution is made; and

WHEREAS: Notice of intention to present a resolution to amend the By-Laws was given to the Members of the Authority at least five (5) days prior to this meeting; and

WHEREAS: Pursuant to Article II, Section 1 of the Authority’s Amended and Restated By-Laws, the Authority shall be composed of seven members, two of whom shall be ex-officio members, specifically, the State Treasurer and the Chair of the Commission on Higher Education; and

WHEREAS: The Members of the Authority have determined that it is advisable and appropriate to amend the By-Laws to amend the position and title of the *ex-officio* member, Chair of the Commission on Higher Education; and

WHEREAS: Pursuant to Governor Christie’s Reorganization Plan 005-2011, the New Jersey Commission on Higher Education was abolished and the Secretary of Higher Education, is empowered to exercise all powers and duties previously exercised by the Commission on Higher Education; and

WHEREAS: Pursuant to Article III, Section 12 of the By-Laws, the Audit Committee is one of the Authority's three standing committees; and

WHEREAS: The Members of the Authority have determined that it is advisable and appropriate to amend the By-Laws to clarify the circumstances under which the State Treasurer shall make recommendations to the Chair of the Authority for one or more qualified individuals who meet the membership criteria set forth in Executive Order No. 122 to sit on the Authority's Audit Committee; and

WHEREAS: The Members of the Authority have determined that it is advisable to amend and restate the Authority's By-Laws to reflect the foregoing amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY AS FOLLOWS:

SECTION 1. The Authority hereby amends Article II, Section 1 of the Authority's By-Laws to read in its entirety as follows:

Section 1. Composition. The Authority shall be composed of seven members, two of whom shall be ex-officio members, specifically, the State Treasurer and the Secretary of Higher Education. Each member shall have one vote.

SECTION 2. The Authority hereby amends Article III, Section 12 of the Authority's By-Laws to read in its entirety as follows:

Section 12. Committees. The Authority shall have three standing committees: a Finance Committee, an Audit Committee and an Evaluation Committee.

The Finance Committee shall consist of the Chair, the Treasurer and the Executive Director, and shall have the responsibility of recommending an annual budget.

The Audit Committee shall consist of the State Treasurer, the Treasurer (but only if the Treasurer is a member of the Authority), the Chair (if the Treasurer is not a member of the Authority), and a member of the Authority with significant financial experience elected at the annual meeting of the members of the Authority or as soon thereafter as practicable. In the event that the State Treasurer is elected by the Authority to serve as the Treasurer of the Authority, or in the event that the Authority does not have sufficient members qualified or available to serve on the Audit Committee, or the Authority wishes to broaden the expertise on the Audit Committee, the

Chair shall seek recommendations from the State Treasurer for one or more qualified individuals who meet the membership criteria set forth in Executive Order No. 122 to sit on the Audit Committee and at their next meeting, the members of the Authority shall elect a sufficient number of persons to fill any and all vacancies on the Audit Committee.

The Audit Committee shall have the responsibility to assist in the financial reporting and audit processes of the Authority, and to provide a recommendation for auditor selection and to issue a report to the State Treasurer thereon, all in accordance with Executive Order No. 122. The Audit Committee shall meet at least twice each year.

The Evaluation Committee shall consist of three members of the Authority elected at the annual meeting of the members of the Authority or as soon thereafter as practicable. Members of the Evaluation Committee must meet the same standards of independence as are set forth in Executive Order No. 122 for members of the Audit Committee. Members of the Audit Committee may also serve as members of the Evaluation Committee. The Evaluation Committee shall have the responsibility to conduct the solicitation and evaluation of eligible independent auditors, and to provide a recommendation to the Audit Committee, all in accordance with Executive Order No. 122.

The members or the Chair may convene other committees, as appropriate, and the Chair may appoint their membership both from within and outside the Authority members, officers and staff.

SECTION 3. The Authority hereby approves and adopts the Amended and Restated By-Laws in the form attached hereto as **EXHIBIT 1**.

SECTION 4. This Resolution shall take effect in accordance with the Act.

_____ Mr. Hutchinson _____ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by _____ Mr. Rodriguez _____ and upon roll call the following members voted:

AYE: Joshua Hodes
Ridgeley Hutchinson
Elizabeth Maher Muoio (represented by David Moore)
Louis Rodriguez
Zakiya Smith Ellis

NAY: None

ABSTAIN: None

ABSENT: None

The Chair thereupon declared said motion carried and said resolution adopted.

**AMENDED AND RESTATED BY-LAWS
OF
THE NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY**

ARTICLE I

THE AUTHORITY

Section 1. Seal of Authority. The Official common seal of the Authority shall be in such form as shall be determined by resolution of the Authority.

Section 2. Offices of Authority. The Offices of the Authority shall be at such place within the State of New Jersey, as shall be determined by the members.

ARTICLE II

MEMBERS

Section 1. Composition. The Authority shall be composed of seven members, two of whom shall be ex-officio members, specifically, the State Treasurer and the Secretary of Higher Education. Each member shall have one vote.

Section 2. Designees. Ex-officio members of the Authority may designate an officer or employee of his or her department to represent him or her at meetings of the Authority, including committee meetings, and each such designee may lawfully vote and otherwise act on behalf of the member for whom he or she constitutes the designee. Any such designation shall be in writing and delivered to the Secretary and shall continue in effect until revoked or amended in writing and delivered to the Secretary.

Section 3. Public Members. The public members of the Authority shall be appointed by the Governor with the advice and consent of the Senate. The five members appointed by the Governor shall be residents of the State. Each public member shall hold

office for the term of his or her appointment and until his or her successor shall have been appointed and qualified. A public member of the Authority shall be eligible for reappointment.

Section 4. Vacancies. Any vacancies in the membership of the Authority occurring other than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only. No vacancy in the membership of the Authority shall impair the right of a quorum to exercise all of the powers and perform all of the duties of the Authority.

Section 5. Compensation. The members of the Authority shall serve without compensation, but the Authority shall reimburse its members for actual reasonable expenses necessarily incurred in the discharge of their duties.

Section 6. Removal. Each member of the Authority may be removed from Office by the Governor, for cause, after a public hearing and may be suspended by the Governor pending the completion of such hearing.

ARTICLE III

OFFICERS

Section 1. Officers. The officers of the Authority shall be a Chair, a Vice-Chair, a Secretary, one or more Assistant Secretaries, a Treasurer, who shall each be elected by the Authority, and an Executive Director and such other officers as may be designated by the Authority from time to time. The Chair, Vice-Chair, Secretary, Assistant Secretary or Secretaries and the Treasurer, if they are members of the Authority, shall serve for a

term of one year and shall be elected at the annual meeting of the members of the Authority. The offices of Secretary and Treasurer may be combined. The Secretary, the Assistant Secretary or Secretaries and the Treasurer need not be members of the Authority.

Section 2. Chair. The Chair shall preside at all meetings of the members of the Authority and shall rule on all questions of order, subject to appeal by members. In connection with the issuance of bonds by the Authority, the Chair may execute on behalf of the Authority documents, indentures, bonds, deeds, and other instruments by manual or facsimile signatures and shall have such powers and shall perform such other duties as the Authority may prescribe from time to time. At each meeting, the Chair shall submit such recommendations and information as he or she may consider proper concerning the business, affairs and policies of the Authority.

Section 3. Vice-Chair. The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair.

Section 4. Secretary. The Secretary shall keep or cause to be kept the records of the Authority, shall act as secretary of the meetings of the members of the Authority and record or cause to be recorded all votes, and shall keep or cause to be kept a record of the proceedings of the members of the Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to his or her office. He or she shall keep or cause to be kept in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

Section 5. Assistant Secretary. The Assistant Secretary or Secretaries shall perform the duties of the Secretary in the absence or incapacity of the Secretary and in addition, at the direction of the Secretary, shall have the power to certify as to the correctness of copies of all documents in possession of the Authority, including but not limited to minutes of the Authority's meetings, contracts and instruments authorized to be executed by the Authority and to affix the seal to and attest to all contracts and instruments authorized to be executed by the Authority.

Section 6. Treasurer. The Treasurer shall have the care and custody of all funds of the Authority and shall deposit or cause to be deposited the same in the name of the Authority in such bank or banks as the members of the Authority may select. Payments from construction funds of note issues and bond issues shall be made in accordance with the provisions of the General Revenue Bond Resolutions or Indentures authorized and adopted by the Authority, or pursuant to the provisions of such other resolutions of the Authority authorizing the issuance of bonds or notes pertaining to the application of moneys in such construction funds. The Treasurer shall keep or cause to be kept accounts and books of the Authority including its receipts, disbursements, contracts, sinking funds, investments and other matters relating to its financial standing and shall render to all members of the Authority, upon request, an account of his or her transactions and also of the financial standing of the Authority.

Section 7. Executive Director. The Executive Director shall be the chief executive officer of the Authority and shall have general supervision over and be in

administrative charge of all activities of the Authority and, in addition, shall perform all the duties incident to the position and office. The Executive Director is authorized to take personnel action in accordance with Authority policies and procedures with respect to Authority employees, and as such, the Executive Director is authorized to hire, promote, evaluate, determine compensation, suspend (with or without pay), terminate, or take any other disciplinary action with regard to employees. In addition, the Executive Director is authorized to contract on behalf of the Authority in an amount not to exceed \$50,000.00, or as the Authority may determine from time to time by resolution, provided such action does not exceed the Authority budget for the then current fiscal year. Except as set forth in Section 13 of this Article, or as otherwise provided by resolution of the Authority, the Executive Director shall make final certification and payment of all duly authenticated and authorized items of expenditure for payment from any Authority funds from whatever source derived and whenever the Chair is required to sign vouchers, requisitions and other instruments made by the Authority, the Executive Director shall approve the same for submission to the Chair or the Treasurer for signature.

Section 8. Deputy Executive Director. The Authority may appoint a Deputy Executive Director who shall assist the Executive Director in all aspects of the Executive Director's responsibilities. The Deputy Executive Director shall have the following powers and duties in addition to any other duties assigned by these By-Laws, by resolution of the Authority or by delegation from the Executive Director.

In the absence or incapacity of the Executive Director, (a) the Deputy Executive Director shall exercise all functions and undertake all responsibilities of the Executive Director and (b) in connection with the issuance of bonds by the Authority, the Deputy Executive Director may execute, on behalf of the Authority, documents, indentures, bonds and other instruments of the Authority.

Section 9. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the members of the Authority or by the By-Laws or rules and regulations of the Authority.

Section 10. Election or Appointment. All officers of the Authority, other than the members, shall hold office at the pleasure of the Authority and may be removed, either with or without cause, at any time by resolution of the Authority.

Section 11. Additional Personnel. The Authority may from time to time employ such personnel as it may require to exercise its powers, duties and functions as prescribed by the New Jersey Educational Facilities Authority Act, and all other laws of the State of New Jersey applicable thereto. The qualifications, terms of office, duties, services and compensation of such personnel shall be determined by the Authority.

Section 12. Committees. The Authority shall have three standing committees: a Finance Committee, an Audit Committee and an Evaluation Committee.

The Finance Committee shall consist of the Chair, the Treasurer and the Executive Director, and shall have the responsibility of recommending an annual budget.

The Audit Committee shall consist of the State Treasurer, the Treasurer (but only if the Treasurer is a member of the Authority), the Chair (if the Treasurer is not a member of the Authority), and a member of the Authority with significant financial experience elected at the annual meeting of the members of the Authority or as soon thereafter as practicable. If any person designated to be a member of the Audit Committee by the preceding sentence does not meet the membership criteria set forth in Executive Order No. 122 (McGreevey), the Authority shall, at the annual meeting of the members of the Authority or as soon thereafter as practicable, elect a different member of the Authority to serve on the Audit Committee. In the event that the State Treasurer is elected by the Authority to serve as the Treasurer of the Authority, or in the event that the Authority does not have sufficient members qualified or available to serve on the Audit Committee, or the Authority wishes to broaden the expertise on the Audit Committee, the Chair shall seek recommendations from the State Treasurer for one or more qualified individuals who meet the membership criteria set forth in Executive Order No. 122 to sit on the Audit Committee and at their next meeting, the members of the Authority shall elect a sufficient number of persons to fill any and all vacancies on the Audit Committee.

The Audit Committee shall have the responsibility to assist in the financial reporting and audit processes of the Authority, and to provide a recommendation for auditor selection and to issue a report to the State Treasurer thereon, all in accordance with Executive Order No. 122. The Audit Committee shall meet at least twice each year.

The Evaluation Committee shall consist of three members of the Authority elected at the annual meeting of the members of the Authority or as soon thereafter as practicable. Members of the Evaluation Committee must meet the same standards of independence as are set forth in Executive Order No. 122 for members of the Audit Committee. Members of the Audit Committee may also serve as members of the Evaluation Committee. The Evaluation Committee shall have the responsibility to conduct the solicitation and evaluation of eligible independent auditors, and to provide a recommendation to the Audit Committee, all in accordance with Executive Order No. 122.

The members or the Chair may convene other committees, as appropriate, and the Chair may appoint their membership both from within and outside the Authority members, officers and staff.

Section 13. Operating Fund. The Treasurer, the Chair and the Executive Director shall be authorized to sign orders and checks for the payment of money from the Operating Fund, to the extent set forth below, and shall pay out and disburse such moneys under the direction of the members of the Authority. For checks drawn against the Operating Fund in amounts of Thirty Thousand Dollars (\$30,000.00) or less, the signature of the Treasurer, the Chair or the Executive Director shall be sufficient. However, for checks drawn against the Operating Fund in amounts in excess of Thirty Thousand Dollars (\$30,000.00), signatures are required from any two of these officers: the Treasurer, the Chair and the Executive Director. The authority for the signing of checks drawn against the

Operating Fund, which is granted in this Section, shall not be exercised in a manner that would conflict with the other Sections of these By-Laws.

Section 14. Amendments to Employee Policy Manual. The Executive Director shall be authorized to make amendments to certain portions of the Authority's Employee Policy Manual ("Manual") which concern the operations of the workplace, the clarification of ambiguities or the correction of typographical, spelling, grammatical or other minor errors. Workplace operations include such items as employment status and records, timekeeping, ministerial payroll matters, work conditions, procedures and schedules, employee conduct and disciplinary actions. The Executive Director may not amend the Manual in such a way that would affect employee benefits, leaves of absence or the legal rights, responsibilities or obligations of the Authority or its employees or cause the Authority to incur a new monetary expense or liability or to incur an increase in an existing monetary expense or liability as set forth in the Authority's duly adopted annual budget or cause the Manual, or any part thereof, to be in conflict with or in violation of any applicable law. The Executive Director shall report to the Board, on a monthly basis, any and all amendments that the Executive Director makes to the Manual.

ARTICLE IV

MEETINGS

Section 1. Annual Meeting. The annual meeting of the members of the Authority shall be held on the fourth Tuesday of May at 10:30 a.m., unless such date shall fall on a legal holiday, the annual meeting shall be held on the next succeeding business;

however the day and/or time of holding the annual meeting may be changed at the direction of the Chair, without the formality of amending this Section.

Section 2. Regular Meeting. Monthly meetings shall be held at 10:30 a.m., on the fourth Tuesday of each month, unless the same falls on a legal holiday, in which event said meeting shall be held on the next succeeding business day; however, the day and/or time of holding regular meetings may be changed or cancelled from time to time, at the direction of the Chair, without the formality of amending this Section.

Section 3. Special Meeting. The Chair of the Authority may, when he or she deems it expedient, and shall, upon the written request of two members of the Authority, call a special meeting of the members of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered to each member of the Authority or may be mailed or faxed to the business or home address of each member of the Authority at least two days prior to the date of such special meeting. At such special meeting, no business shall be considered other than as designated in the call, but if all of the members of the Authority are present at a special meeting, any and all business may be transacted at such special meeting.

Section 4. Meetings. Meetings of the members of the Authority shall be held at the Offices of the Authority or such other place as the Chair may designate from time to time.

Section 5. Quorum. The powers of the Authority shall be vested in the members thereof in office from time to time. A majority of those members shall constitute

a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, except that one member present at a meeting may adjourn the same from time to time until a quorum is obtained. Except as otherwise specified in these By-Laws, the affirmative vote of a majority of those members present shall be necessary for any action taken by the Authority. Members may participate via telephone and electronic video and voice data communications and be counted for a quorum.

Section 6. Business. All resolutions shall be in writing and shall be copied in a journal of the proceedings of the members of the Authority. A true copy of the minutes of every meeting of the Authority shall be forthwith delivered by and under the certification of the Secretary to the Governor of the State of New Jersey.

Section 7. Manner of Voting. The voting on all questions coming before the members of the Authority shall be entered upon the minutes of the meeting.

Section 8. Officer Vacancies. In the event an elected Officer of the Authority leaves office for any reason after his or her election, the Members of the Authority may elect a successor who shall serve for the unexpired term and until his or her successor is elected in accordance with these By-Laws.

ARTICLE V

AMENDMENTS

Section 1. Amendments to By-Laws. The By-Laws of the Authority shall be amended only with the approval of at least four of the members of the Authority at a regular or a special meeting, but no such amendment shall be adopted unless at least five

days written notice thereof has been previously given to all of the members of the Authority.

Amended: June 27, 2019

**RESOLUTION OF THE NEW JERSEY EDUCATIONAL FACILITIES
AUTHORITY ACKNOWLEDGING AND ACCEPTING THE STATE
TREASURER'S RECOMMENDATION AND ELECTING A
REPRESENTATIVE TO THE AUDIT COMMITTEE**

Adopted: June 27, 2019

- WHEREAS,** The Audit Committee has been established pursuant to Article III, Section 12 of the By-Laws (the "By-Laws") of the New Jersey Educational Facilities Authority (the "Authority") and in accordance with Executive Order No. 122 (McGreevey) ("EO 122"); and
- WHEREAS,** The By-Laws provide that the Audit Committee shall consist of: (i) the Treasurer of the State of New Jersey (the "State Treasurer"); (ii) the Treasurer of the Authority (the "Authority Treasurer"), but only if said Authority Treasurer is a member of the Authority, and if the Authority Treasurer is not a member of the Authority, then the Chair; and (iii) a member of the Authority with significant financial experience, elected at the Annual Meeting of the members of the Authority or as soon thereafter as practicable; and
- WHEREAS,** At the Authority's Annual Meeting on May 28, 2019, the members elected the State Treasurer, or her designee, as the Authority Treasurer, and Ridgeley Hutchinson, as a public member of the Authority with significant financial experience, to serve on the Audit Committee; and
- WHEREAS,** Since the State Treasurer, in her capacity as the Authority Treasurer, is also a member of the Authority *ex officio*, pursuant to the By-Laws, the State Treasurer has recommended Ryan Feeney to become a member of the Audit Committee; and
- WHEREAS,** The Members of the Authority wish to acknowledge and accept the State Treasurer's recommendation of Ryan Feeney as the third member of the Audit Committee; and
- WHEREAS,** The Members of the Authority wish to elect Ryan Feeney as the third member of the Audit Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY, AS FOLLOWS:

- Section 1.** The Members of the Authority hereby acknowledge the State Treasurer's recommendation of Ryan Feeney as the third member of the Audit Committee.
- Section 2.** The Members of the Authority hereby elect Ryan Feeney as the third member of the Audit Committee.

Section 3. This Resolution supersedes all prior resolutions to the extent inconsistent herewith and with the By-Laws and shall take effect in accordance with the provisions of the Act.

___ Mr. Hutchinson ___ moved that the foregoing resolution be adopted as introduced and read, which motion was seconded by ___ Mr. Rodriguez ___ and upon roll call the following members voted:

AYE: Joshua Hodes
Ridgeley Hutchinson
Elizabeth Maher Muoio (represented by David Moore)
Louis Rodriguez
Zakiya Smith Ellis

NAY: None

ABSTAIN: None

ABSENT: None

The Chair thereupon declared said motion carried and said resolution adopted.

**NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY
2019 BUDGET VARIANCE ANALYSIS
FOR THE FIVE MONTHS ENDED MAY 31, 2019**

EXECUTIVE SUMMARY

Net Operating Income

The NJEFA concluded May with a year-to-date net operating loss in the amount of \$97,663 based on year to date revenues of \$1,182,335 and expenses of \$1,279,998.

Revenues

Year-to-date actual revenues were \$21,513 less than projected due to fewer transactions closing during the first five months of the year than projected.

Expenses

Actual operating expenditures for the first five month of the year were under budget by \$300,550 primarily due to timing of expenditures and staff vacancies.

Exhibits

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NEW JERSEY EDUCATIONAL FACILITIES AUTHORITY
ACTUAL vs. BUDGET REPORT
MAY 2019

	Month Ended May 31, 2019			Year-To-Date May 31, 2019		
	Actual	Budget	Variance	Actual	Budget	Variance
<u>Operating Revenues</u>						
Annual Administrative Fees	\$206,603	\$206,603	\$ -	\$ 1,033,017	\$ 1,033,017	\$ -
Initial Fees	65,870	-	65,870	65,870	118,750	(52,880)
Investment Income	18,874	10,417	8,457	83,448	52,081	31,367
	<u>\$ 291,347</u>	<u>\$ 217,020</u>	<u>\$ 74,327</u>	<u>\$ 1,182,335</u>	<u>\$ 1,203,848</u>	<u>\$ (21,513)</u>
<u>Operating Expenses</u>						
Salaries	\$166,992	\$184,758	\$ 17,766	\$ 619,402	\$ 677,436	\$ 58,034
Employee Benefits	48,148	72,055	23,907	222,388	360,277	137,889
Provision for Post Ret. Health Benefits	29,166	29,167	1	145,833	145,831	(2)
Office of The Governor	2,083	2,083	-	10,419	10,419	-
Office of The Attorney General	10,417	10,417	-	52,081	52,081	-
Sponsored Programs & Meetings	514	817	303	3,203	4,081	878
Telecom & Data	2,827	2,833	6	11,849	14,169	2,320
Rent	16,884	16,667	(217)	80,495	83,331	2,836
Utilities	2,131	2,167	36	10,196	10,831	635
Office Supplies & Postage Expense	1,148	2,250	1,102	5,090	11,250	6,160
Travel & Expense Reimbursement	113	1,417	1,304	3,327	7,081	3,754
Staff Training & Conferences	7,464	3,583	(3,881)	10,770	17,919	7,149
Insurance	4,307	4,307	-	21,537	21,535	(2)
Publications & Public Relations	559	2,238	1,679	1,187	11,184	9,997
Professional Services	9,823	18,500	8,677	49,550	92,498	42,948
Dues & Subscriptions	4,474	7,458	2,984	15,184	37,294	22,110
Maintenance Expense	1,937	1,500	(437)	7,083	7,500	417
Depreciation	2,081	3,167	1,086	10,404	15,831	5,427
Contingency	-	-	-	-	-	-
	<u>311,068</u>	<u>365,384</u>	<u>54,316</u>	<u>1,279,998</u>	<u>1,580,548</u>	<u>300,550</u>
Net Operating Income	<u>\$ (19,721)</u>	<u>\$ (148,364)</u>	<u>\$ 128,643</u>	<u>\$ (97,663)</u>	<u>\$ (376,700)</u>	<u>\$ 279,037</u>

NJEFA
Vendor Payments
May 2019

5:30 PM

Type	Date	Num	Name	Memo	Account	Accrual Basis Amount
Bill Pmt -Check	05/02/2019	EFT	NJSHBP	05/19 Covg	Accounts Payable	1,857.14
Bill Pmt -Check	05/03/2019	EFT	NJSHBP	05/19 Covg	Accounts Payable	17,403.30
Bill Pmt -Check	05/03/2019	EFT	NJSHBP	05/19 Covg	Accounts Payable	6,835.00
Bill Pmt -Check	05/10/2019	12384	DocuSafe	119009	Accounts Payable	172.07
Bill Pmt -Check	05/10/2019	12385	Government News Network	83899-G	Accounts Payable	340.00
Bill Pmt -Check	05/10/2019	12386	NJ Economic Development Authority	2019May	Accounts Payable	1,611.67
Bill Pmt -Check	05/10/2019	12387	Polar Inc.	054285	Accounts Payable	98.80
Bill Pmt -Check	05/10/2019	12388	Refinitive Global Markets Inc.	96609378	Accounts Payable	760.00
Bill Pmt -Check	05/10/2019	12389	SourceMedia - (RFP Ads etc.)	ADV0296749 Investment Advisor	Accounts Payable	1,950.00
Bill Pmt -Check	05/10/2019	12390	Stitt, Sheryl/A.	Employee Reimbursement	Accounts Payable	113.24
Bill Pmt -Check	05/10/2019	12391	Toles, Sheila R.	Employee Reimbursement	Accounts Payable	32.24
Bill Pmt -Check	05/10/2019	12392	UPS	2Y687X189	Accounts Payable	14.11
Bill Pmt -Check	05/10/2019	12393	W. B. Mason Company, Inc.	IS0948422	Accounts Payable	1,033.29
Bill Pmt -Check	05/13/2019	12394	Lexis Nexis	3092019338	Accounts Payable	292.00
Bill Pmt -Check	05/13/2019	12395	NJ Dept of Labor & Workforce Development	0-221-829-511/000-00 3/31/19 J.M.	Accounts Payable	8,853.00
Bill Pmt -Check	05/13/2019	12396	TGI Office Automation	INV1823476	Accounts Payable	874.55
Bill Pmt -Check	05/28/2019	12397	100 & RW CRA, LLC	005396	Accounts Payable	12,251.67
Bill Pmt -Check	05/28/2019	12398	Clark, Rebecca	Employee Reimbursement	Accounts Payable	7,463.27
Bill Pmt -Check	05/28/2019	12399	Comcast	050719 May Inv Acct 8499052530247545	Accounts Payable	86.90
Bill Pmt -Check	05/28/2019	12400	Deil Marketing L.P.	10314121961 RAM Mem	Accounts Payable	119.20
Bill Pmt -Check	05/28/2019	12401	NJ OIT Fiscal Services	2019April	Accounts Payable	1,807.59
Bill Pmt -Check	05/28/2019	12402	Panera Bread	607011302785 MSU Mtg	Accounts Payable	142.45
Bill Pmt -Check	05/28/2019	12403	Thomson Reuters - West	840269513 NJ STAT T18A Pocket Parts	Accounts Payable	285.00
Bill Pmt -Check	05/28/2019	12404	Treasurer, State of New Jersey - DAG	FY20193rdQ	Accounts Payable	6,450.00
Bill Pmt -Check	05/28/2019	12405	Treasurer, State of New Jersey - Pinnacle	01-May-2019	Accounts Payable	1,190.74
Bill Pmt -Check	05/28/2019	12406	UPS	2Y687X209	Accounts Payable	11.76
Bill Pmt -Check	05/28/2019	12407	Verizon	9829301570	Accounts Payable	300.61
						<u>72,349.60</u>

New Jersey Educational Facilities Authority
Summary of Construction Funds
As of May 31, 2019

<u>Institution</u>	<u>Issue</u>	<u>Description</u>	<u>Bond Proceeds</u>	<u>Net Disbursed</u>	<u>Balance</u>	<u>% Complete</u>
Private						
Stevens Institute of Technology	2017 Series A	Various Renov & Improvements, Refund 1998 I, 2007 A	\$ 76,911,558.14	\$ (56,088,192.06)	\$ 20,823,366.08	73%
Rider University	2017 Series F	Academic & Residential Facilities, Science & Technology Bldg	44,228,160.45	(11,704,036.74)	32,524,123.71	26%
Georgian Court University	2017 Series G&H	Various Capital Improvements & Renovations, Refund 07 D, H	7,874,383.16	(240,701.85)	7,633,681.31	3%
Sub Total			\$ 129,014,101.75	\$ (68,032,930.65)	\$ 60,981,171.10	
Public						
Montclair State University	Series 2014 A	Various Refundings and Capital Projects	\$ 156,675,111.09	\$ (142,752,218.92)	\$ 13,922,892.17	91%
New Jersey City University	Series 2015 A	Various Renovations & Improv, Refund 02 A, 08 E	37,869,656.10	(34,813,099.85)	3,056,556.25	92%
Stockton University	Series 2016 A	Science Center, Academic Bldg, Quad Project	26,207,528.53	(23,776,265.06)	2,431,263.47	91%
Ramapo College of New Jersey	Series 2017 A	Refund 06 I, Renov Library, Learning Center	11,278,830.75	(975,522.28)	10,303,308.47	9%
William Paterson University of New Jersey	Series 2017 B	New Residence Hall	30,427,779.25	(26,956,596.80)	3,471,182.45	89%
Sub Total			\$ 262,458,905.72	\$ (229,273,702.91)	\$ 33,185,202.81	
Other Programs						
Equipment Leasing Fund	Series 2014 A&B	Acquisition and Installation of Equipment	\$ 101,266,893.00	\$ (94,229,448.12)	\$ 7,037,444.88	93%
Technology Infrastructure Fund	Series 2014	Development of Technology Infrastructure	41,313,667.00	(37,851,027.19)	3,462,639.81	92%
Capital Improvement Fund	Series 2014 A-D	Capital Improvements	191,905,596.00	(185,566,567.76)	6,339,028.24	97%
Facilities Trust Fund	Series 2014	Construct, Reconstruct, Develop & Improve Facilities	219,977,164.00	(193,605,020.47)	26,372,143.53	88%
Capital Improvement Fund	Series 2016 B	Capital Improvements	146,700,261.19	(117,844,068.45)	28,856,192.74	80%
Sub Total			\$ 701,163,581.19	\$ (629,096,131.99)	\$ 72,067,449.20	
Grand Total			\$1,092,636,588.66	\$ (926,402,765.55)	\$ 166,233,823.11	