

NASSAU COMMUNITY COLLEGE  
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of June 17, 2014

The five hundred seventy-second meeting of the Board of Trustees was held on Tuesday, June 17, 2014 on the eleventh floor of the Administrative Tower.

The meeting was called to order by Chair Gardyn at 6:20 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Chair  
Kathy Weiss, Vice Chair  
Wanda Jackson, Secretary Pro Tem;  
John A. DeGrace, Edward W. Powers, Patrick Deegan, Student Trustee.

Absent: Mary A. Adams, Anthony W. Cornachio, Arnold W. Drucker.

Also in attendance: Kenneth Saunders, Maria Conzatti, Chuck Cutolo.

Chair Gardyn requested a motion that pursuant to Section 105 of the Open Meetings Law of the State of New York, the Board of Trustees shall enter Executive Session for the following purposes: 1) to discuss matters relating to collective bargaining involving the NCCFT and the AFA; 2) to discuss matters involving litigation relating to the labor dispute with the AFA; and 3) to discuss litigation with respect to Witt/Kieffer. Trustee Weiss moved the motion; seconded by Trustee Jackson. Motion carried 6-0.

Chair Gardyn resumed the open meeting at 7:57 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Chair  
Kathy Weiss, Vice Chair  
Wanda Jackson, Secretary Pro Tem;  
John A. DeGrace, Arnold W. Drucker,  
Edward W. Powers, Patrick Deegan, Student Trustee.

Absent: Mary A. Adams, Anthony W. Cornachio.

Also in attendance: Kenneth Saunders, Maria Conzatti, Chuck Cutolo.

Approval of Minutes

Chair Gardyn requested a motion to approve the minutes of June 2, 2014.

Trustee Drucker moved the motion; seconded by Trustee Powers. Motion carried 7-0.

1. Expenditures

Trustee Weiss introduced the following resolutions:

- a) RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH WEB CONSTRUCTION CORP. IN THE AMOUNT OF \$1,000,000.00 TO PROVIDE LABOR, MATERIALS

AND EQUIPMENT TO CONSTRUCT, OR RENOVATE BUILDINGS AS DIRECTED BY THE COLLEGE. (FUNDING SOURCE: OPERATING & CAPITAL BUDGET)

- b) RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH SARACINO CONSTRUCTION CORP. IN THE AMOUNT OF \$1,000,000.00 TO PROVIDE ALL NECESSARY LABOR, MATERIALS AND EQUIPMENT TO CONSTRUCT, MODIFY, DEMOLISH, REHABILITATE OR RENOVATE BUILDINGS AS SHOWN IN DRAWINGS OR AS DIRECTED BY THE COLLEGE. (FUNDING SOURCE: OPERATING & CAPITAL BUDGET)
- c) RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH E&A RESTORATION IN THE AMOUNT OF \$1,000,000.00 TO PROVIDE ALL NECESSARY LABOR, MATERIALS AND EQUIPMENT TO CONSTRUCT, MODIFY, DEMOLISH, REHABILITATE OR RENOVATE BUILDINGS AS SHOWN IN DRAWINGS OR AS DIRECTED BY THE COLLEGE. (FUNDING SOURCE: OPERATING & CAPITAL BUDGET)
- d) RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH LEB ELECTRIC, LTD. IN THE AMOUNT OF \$1,000,000.00 TO PROVIDE ALL NECESSARY LABOR, MATERIALS AND EQUIPMENT TO CONSTRUCT, MODIFY, DEMOLISH, REHABILITATE OR RENOVATE BUILDINGS AS SHOWN IN DRAWINGS OR AS DIRECTED BY THE COLLEGE. (FUNDING SOURCE: OPERATING & CAPITAL BUDGET)
- e) RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH STANDARD ELECTRIC CORP. IN THE AMOUNT OF \$500,000.00 TO PROVIDE ALL NECESSARY LABOR, MATERIALS AND EQUIPMENT TO CONSTRUCT, MODIFY, DEMOLISH, REHABILITATE OR RENOVATE BUILDINGS AS SHOWN IN DRAWINGS OR AS DIRECTED BY THE COLLEGE. (FUNDING SOURCE: OPERATING & CAPITAL BUDGET)
- f) RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH ROLAND'S ELECTRIC, INC. IN THE AMOUNT OF \$500,000.00 TO PROVIDE ALL NECESSARY LABOR, MATERIALS AND EQUIPMENT TO CONSTRUCT, MODIFY, DEMOLISH, REHABILITATE OR RENOVATE BUILDINGS AS SHOWN IN DRAWINGS OR AS DIRECTED BY THE COLLEGE. (FUNDING SOURCE: OPERATING & CAPITAL BUDGET)
- g) RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH ACADEMIC SEARCH IN THE AMOUNT OF \$60,000.00 TO ASSIST THE SEARCH COMMITTEE IN THE SELECTION OF A PRESIDENT. GENERALLY, THE SERVICES TO BE PROVIDED BY THIS FIRM INCLUDE: ASSIST IN THE PREPARATION OF THE POSITION DESCRIPTION, PREPARE AND PLACE ADVERTISEMENTS IN APPROPRIATE PUBLICATIONS, REVIEW RESUMES, PRE-QUALIFY CANDIDATES, SET UP INTERVIEWS AND CONDUCT BACKGROUND CHECKS AS APPROPRIATE. (FUNDING SOURCE: OPERATING BUDGET)
- h) RESOLVED, THAT REQUISITION #64644 IN THE AMOUNT OF \$750,000.00 AS REQUESTED BY VP FACILITIES MANAGEMENT/DESIGN & CONSTRUCTION DEPT. FOR PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES FOR THE SUPERVISION OF THE CONSTRUCTION OF THE STUDENT SERVICES CENTER. (FUNDING SOURCE: CAPITAL FUNDING)

- i) RESOLVED, THAT REQUISITION #64646 IN THE AMOUNT OF \$252,798.19 AS REQUESTED BY VP FACILITIES MANAGEMENT/DESIGN & CONSTRUCTION DEPT. FOR RESTORATION OF THE PORTICOS AT BUILDINGS M AND V. (FUNDING SOURCE: CAPITAL FUNDING)
- j) RESOLVED, THAT REQUISITION #64647 IN THE AMOUNT OF \$742,407.00 AS REQUESTED BY VP FACILITIES MANAGEMENT/DESIGN & CONSTRUCTION DEPT. FOR THE WINDOW REPLACEMENT PROJECT AT BUILDING M. (FUNDING SOURCE: CAPITAL AND GRANT FUNDING \$310,000 FROM LIPA GRANT FUND AND \$432,407 CAPITAL FUNDING)
- k) RESOLVED, THAT REQUISITION #64650 IN THE AMOUNT OF \$350,000 AS REQUESTED BY VP FACILITIES MANAGEMENT/DESIGN & CONSTRUCTION DEPT. FOR GENERAL CONSTRUCTION, PLUMBING, & ELECTRIC FOR THE INTERIOR RENOVATION OF BUILDING Z. (FUNDING SOURCE: CAPITAL FUNDING)

Chair Gardyn requested a motion. Trustee Weiss moved the motion; seconded by Trustee Deegan. Motion carried items (a – k) 7-0.

Chair Gardyn made a motion under Article IV section 3(f) of the Rules of Procedure to allow for the consideration of an item that does not appear on the Calendar.

Trustee Weiss seconded the motion. Motion carried 7-0.

- l) Trustee Deegan introduced the following resolution:

RESOLVED, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH MCGLADREY IN THE AMOUNT OF \$89,000.00 TO PERFORM AN AUDIT OF THE COLLEGE'S ANNUAL FINANCIAL STATEMENTS, AND REVIEW OF INTERNAL CONTROLS. (FUNDING SOURCE: OPERATING BUDGET)

Chair Gardyn requested a motion. Trustee Deegan moved the motion; seconded by Trustee Powers. Motion carried 7-0.

- 2. Trustee Jackson introduced the following resolution:

RESOLVED, THAT NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES HEREBY APPROVES COLLEGE INTERIM VICE PRESIDENT OF FINANCE, ROBERT SCHNITZER, TO BE AN ADDITIONAL ALTERNATE SIGNATORY ON THE COLLEGE CONTROLLED BANK ACCOUNTS.

Chair Gardyn requested a motion. Trustee Weiss moved the motion; seconded by Trustee Jackson. Motion carried 7-0.

- 3. Trustee DeGrace introduced the following resolution:

BE IT RESOLVED THAT THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES ACCEPTS THE DONATION OF FOUR HUNDRED AND FOURTEEN NETBOOKS FROM UNITED BUSINESS MANAGEMENT.

Chair Gardyn requested a motion. Trustee Weiss moved the motion; seconded by Trustee Powers. Motion carried 7-0.

Chair Gardyn made a motion under Article IV section 3(f) of the Rules of Procedure to allow for the consideration of an item that does not appear on the Calendar.

Trustee Weiss seconded the motion. Motion carried 7-0.

4. Trustee Drucker introduced the following resolution:

RESOLVED, THAT THE BOARD OF TRUSTEES OF NASSAU COMMUNITY COLLEGE, HAVING REVIEWED THE PROPOSED PLEADINGS IN EXECUTIVE SESSION, HERewith AUTHORIZES INGERMAN SMITH, LLP TO COMMENCE APPROPRIATE LEGAL PROCEEDINGS AGAINST A CERTAIN CONTRACTOR FOR BREACH OF CONTRACT AND OTHER DAMAGES SUFFERED BY THE COLLEGE AS A RESULT OF SAID CONTRACTOR'S ACTIONS OR INACTIONS.

Chair Gardyn requested a motion. Trustee Drucker moved the motion; seconded by Trustee Jackson. Motion carried 7-0.

Chair Gardyn made a motion under Article IV section 3(f) of the Rules of Procedure to allow for the consideration of an item that does not appear on the Calendar.

Trustee Weiss seconded the motion. Motion carried 7-0.

5. Trustee Powers introduced the following resolution:

WHEREAS, THE COLLEGE INVESTMENT POLICY STATES THAT "THE VICE PRESIDENT FOR FINANCE SHALL MAINTAIN A LIST OF BANKS AND OTHER TRADING PARTNERS APPROVED FOR INVESTMENT PURPOSES BY THE BOARD OF TRUSTEES";

WHEREAS, COLLEGE INVESTMENT FUNDS CURRENTLY ARE INVESTED IN MONEY MARKET FUNDS AT JPMORGAN CHASE;

WHEREAS, JPMORGAN CHASE RECENTLY LOWERED THE MONEY MARKET RATE OFFERED TO THE COLLEGE;

WHEREAS, THE COLLEGE SEEKS TO MAXIMIZE THE RATE OF RETURN THAT IS CONSISTENT WITH THE OVERALL INVESTMENT OBJECTIVES;

WHEREAS, THE COLLEGE SEEKS TO INCLUDE THE FOLLOWING BANKS AS APPROVED FOR INVESTMENT PURPOSES: GOLD COAST BANK, TD BANK, FLUSHING BANK;

RESOLVED, THAT NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES HEREBY APPROVE GOLD COAST BANK, TD BANK AND FLUSHING BANK TO BE USED FOR COLLEGE INVESTMENT PURPOSES.

Chair Gardyn requested a motion. Trustee Powers moved the motion; seconded by Trustee Jackson. Motion carried 7-0.

6. Trustee Deegan introduced the following resolution:

RESOLVED, THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES APPROVES AND ADOPTS THE 2013/2014 CAPITAL PLAN.

Chair Gardyn requested a motion. Trustee Weiss moved the motion; seconded by Trustee Deegan. Motion carried 7-0.

Dr. Saunders reported on the following items:

- Fall enrollment campaign.
- Summer enrollment up by 1%.

Dr. Gardyn asked for a moment of silence for Jim Pallas who was an admissions counselor and track coach for over 40 years at NCC.

Speakers

Edward Boyden, Chair of Academic Senate, welcomed Patrick Deegan to the Board. He thanked the Board for their work and wished all a restful summer. Dr. Boyden asked when the presidential search committee would convene. Trustee Drucker stated that there will be communication over the summer.

Chair Gardyn announced the next Capital and Finance BOT Committee meeting is scheduled for Tuesday, September 9, 2014 at 5:00 p.m. followed by the Full Board meeting. The Board will open the public session between 6:15 and 6:30 p.m. and resume the public session approximately 7:30 p.m.

Chair Gardyn requested a motion to adjourn the meeting. Trustee Drucker moved the motion; seconded by Trustee Jackson. Motion carried 7-0.

Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Wanda Jackson  
Secretary Pro Tem