

**BROOME COMMUNITY COLLEGE
BOARD OF TRUSTEES
May 28, 2009
Official**

MINUTES

TRUSTEES PRESENT: Robert Moppert, Chair, Angelo Mastrangelo, Vice Chairperson, George Akel, Timothy Grippen, Zachariah Riley, James Orband, Joyce Majewski, Margaret Coffey, Nicholas Serafini and Marc Newman

TRUSTEES ABSENT: None

ALSO PRESENT: Dr. Daniel T. Hayes, Grant F. Newton, Julie Peacock, Nancy LaBare, Elizabeth A. Wood, Richard David, Robert Behnke, Patricia O'Day

Chairperson Moppert called the meeting to order at 6:02 p.m.

1.0 APPROVAL OF MINUTES

- 1.1 Trustee Newman made a motion to approve the minutes of the April 23, 2009 Board of Trustees meeting. The motion was seconded by Trustee Riley and the minutes were unanimously approved as written.**
- 1.2 Trustee Akel made a motion to approve the minutes of the May 6, 2009 Special Meeting of the Board of Trustees. The motion was seconded by Trustee Newman and the minutes were unanimously approved as written.**
- 1.3 Trustee Akel made a motion to approve the minutes of the May 22, 2009 Special Meeting of the Board of Trustees. The motion was seconded by Trustee Majewski and the minutes were unanimously approved as written.**

2.0 ACTION ITEMS

PREFERRED AGENDA ITEMS 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7

A motion was made by Chairperson Moppert to remove Action Item 2.6 from the Preferred Agenda and replace it with Action Item 2.10. The motion was seconded by Trustee Grippen

2.1 Recommend Approval of Resolution for Candidates for Promotion

According to Policy 1.15 the Board of Trustees shall approve the granting of promotions to members of the professional staff in accordance with any applicable negotiated contract. Article 36 of the Faculty Association contract – *Promotions* sets forth the process under which employees covered by this contract can be promoted. It was recommended that the Board of Trustees approve the candidates for promotion.

2.2 Recommend Approval of Resolution for a New Position Description, Senior Instructional Designer

Under BCC Policy 1.13, the Board of Trustees shall approve the creation or subsequent modification of position descriptions and/or titles in the unclassified professional service according to specified procedures. It was recommended that the Board of Trustees approve the following new position description: Senior Instructional Designer.

2.3 Recommend Approval of Resolution for Revised Position Description, Instructional Designer

Under BCC Policy 1.13, the Board of Trustees shall approve the creation or subsequent modification of position descriptions and/or titles in the unclassified professional service according to specified procedures. It was recommended that the Board of Trustees approve the following revised position description: Instructional Designer.

2.4 Recommend Approval of Resolution for Lead Agency and Negative Declaration on Environmental Impact for the Science/Technology Building Project

A Lead Agency is required per the State Environmental Quality Review Act (SEQRA) for review and to assess the environmental impacts of major construction projects. Additionally, a determination as to the project's impact on the environment is also required. The review and the project have been discussed with the Broome County Law Department. It has been determined that based on the project's scope of work, and review of SEQRA requirements our project is an Unlisted Action. It was recommended that the Board of Trustees take on the role of Lead Agency and make a Negative Declaration of environmental impact associated with the Science/Technology Building Project.

2.5 Recommend Approval of Resolution for Lead Agency and Negative Declaration on Environmental Impact for the Alms Building Demolition Project

A Lead Agency is required per the State Environmental Quality Review Act (SEQRA) for review and to assess the environmental impacts of major construction projects. Additionally, a determination as to the project's impact on the environment is also required. The review and the project have been discussed with the Broome County Law Department. It has been determined that based on the project's scope of work, and review of SEQRA requirements our project is an Unlisted Action. It was recommended that the Board of Trustees takes on the role of Lead Agency and make a Negative Declaration of environmental impact associated with the Alms Building Demolition Project.

**2.6 ITEM REMOVED FROM THE PREFERRED AGENDA
Recommend Approval to Award a Contract to Poestler & Jaeckle for the Replacement of the Cooling Tower on the Applied Technology Building**

Postler and Jaeckle (P&J) is the county's contracted contractor for the skills/trade required for the installation. We are requiring that P&J purchase and install the replacement tower, motors and pumps. They will subcontract out the rigging and do the start-up. By having them purchase the tower and associated components, they retain responsibility for its condition at time of receipt and any issues with it during installation and start-up. The cost for P&J to purchase, install the tower and attached components is 140,540. It was recommended that the Board of Trustees approves a contract between the college and Postler & Jaeckle to replace the cooling tower on the Applied Technology Building for \$140,540.

2.7 Recommend Approval of Resolution to Establish a Contract for Construction with Postler & Jaeckle Corporation for the Boiler Replacements Phase II Project

Capital project funds of \$540,000 have been approved by Broome County and New York State for a project to replace boilers in the Mechanical Building. The college requested bids and they were opened on April 28, 2009. The design team has reviewed the low bid, the contractor and recommends awarding the contract to Postler & Jaeckle. The value of the bid is well within the available budget and allows us to proceed with the desired benefits. It was recommended that the Board of Trustees approves the establishment of a contract with Postler & Jaeckle Corporation for the construction associated with the Boiler Replacement Phase II Project.

Trustee Coffey made a motion to approve Action Items 2.1, 2.2, 2.3, 2.4, 2.5, and 2.7 on the Preferred Agenda. The motion was unanimously approved.

2.8 Recommend Approval of Resolution for New Program, Environmental Science, A.S.

The Applied Science (A.S.) Degree in Environmental Science is aimed at providing students with the knowledge and experience needed to transfer to a four-year degree program in Environmental Studies or Environmental Science. In accordance with the most recent SUNY Guidelines for the Submission of Undergraduate Academic Program Proposals, this program will be announced to the SUNY Provost and the Presidents of campuses in our coordinating areas for their reaction. In accordance with the SUNY Guidelines this proposed program must receive institutional approval in the form of approval by the local Board of Trustees. It was recommended that the Board of Trustees approves the Resolution for the College program proposal for an A.S. Degree in Environmental Science.

Trustee Orband made a motion to approve Action Item 2.8, Approval of Resolution for New Program, Environmental Science, A.S. The motion was seconded by Trustee Majewski and the motion was unanimously approved.

2.9 Recommend Approval of Resolution Amending BCC Policy 1.19, Alcoholic Beverages

On February 27, 1992, the Broome Community College Board of Trustees adopted and approved Policy 1.19, Alcoholic Beverages. It is proposed that the Alcoholic Beverages Policy, reference number 1.19 be amended and replaced by the attached revised policy titled, Use and Possession of Alcohol Policy. The President and Executive Council of the College has recommended to the Board of Trustees for their review and approval the amended policy concerning Alcoholic Beverages. It was recommended that the Board of Trustees approves the amendment to BCC Policy 1.19, Alcoholic Beverages.

Trustee Grippen made a motion to approve Action Item 2.9, approval of a Resolution Amending BCC Policy 1.19, Alcoholic Beverages. The motion was seconded by Trustee Serafini and the motion was unanimously approved.

2.10 Recommend Approval to Purchase a Replacement Cooling Tower for the Applied Technology Building

BCC's Operation Staff has worked with the College's Purchasing Department and the Broome County Law Department to secure costs for the replacement of the failing cooling tower on the Applied Technology Building. The need for a direct replacement of the tower and a single supplier of the unit in our region limits our ability to secure competitive bids. Pro Air Plus, Inc. is the regional supplier for the direct replacement unit. The cost to purchase the tower is \$100,875. It was recommended that the Board of Trustees approves the purchase of the replacement cooling tower for the Applied Technology building for \$100,875 from Pro Air Plus, Inc.

Trustee Grippen made a motion to approve Action Item 2.10, approval to purchase a replacement cooling tower for the Applied Technology Building. The motion was seconded by Trustee Akel and the motion was unanimously approved.

3.0 INFORMATION ITEMS

3.1 President's Report

Dr. Hayes presented his May 2009 President's Report to the Board.

Dr. Hayes recognized Professor James Antonakos for being the recipient of the SUNY Distinguished Teaching Professorship Award. The highest award offered to faculty by SUNY. Professor Antonakos was presented the medallion at BCC's Commencement Ceremony on May 21st.

Included in the Board Packets was a listing of the anticipated tuitions for community colleges for the 2009-2010. If a community college is planning to increase its tuition above 4.23% next year it will have to provide additional justification to seek approval for the increase from the State and from an agency of the Federal Government. This has to do with the fact that Federal Stimulus money is being diverted into community colleges this year through the base aid that we receive. BCC, fortunately is not one of the college's that exceed the HEPI 4.23% increase we are only increasing 3.6%. We will still be in the lower eight of the community college's for our tuition for next year. Overtime BCC may want to get up to the mid point of fifteen or sixteen because it is easy to justify and puts the College in a better stronger financial position so drastic measures will not have to be taken such as cut backs or a tuition increases.

Enclosed in the packet was also a set of minutes from the May President's Cabinet meeting.

Dr. Hayes also asked that the College keep the momentum going on the Science Technology Building. It is important to upgrade the facilities at the College and the Science Technology Building is the first piece of the puzzle to improving the facilities on campus. He strongly encouraged the College to adhere to the deadlines that have been established for the building, get the design team in place, get the building designed, have a ground breaking and move ahead according to schedule.

3.2 BCC Foundation Report

Dr. Judy Siggins presented the May 2009 Foundation report to the Board and a copy of this report was included in the Board package.

3.3 Capital Operations Activity/Capital Project Change Orders

Updates were given on various capital projects for May 2009 by Mr. Newton and a summary of these updates was included in the Board package.

Vice Chair Mastrangelo asked if the Science Technology Building design firm's bids can be bid on square footage instead of the cost of the project.

Mr. Newton will investigate and report back to the Board.

3.4 Budget Transfers

Budget Transfers for April 2009 were reviewed by Mr. Newton.

3.5 Grant Approvals

Grants which were received in May 2009 were reviewed by Mr. Newton and Ms. Peacock. A summary of grants was included in the Board package.

3.6 Investment Report

This report is routine and for informational purposes.

3.7 Personnel Activity Reports

These reports are routine (with planned activity) and for informational purposes.

3.8 Budget Update

This report is routine and for informational purposes.

Mr. Newton reported that purchases will be curtailed after July 1st due to the fact that this will be the first time closing the fiscal year with Banner and it will give the opportunity to review what funding is available.

The budget has been submitted to Broome County and is expected to be sent to the Legislature as is.

3.9 Initial II Appointments

A copy of the candidates for Initial II Appointments was attached to the Board package for information.

3.10 Press Clippings

This report is routine and for informational purposes.

Mr. David added that the Fourth Annual Graduation Commercial will be running on television and is expected to air May 29, 2009.

4.0 COMMITTEE REPORTS

4.1 Minutes from Finance and Facilities Meeting of May 26, 2009

Vice Chair Mastrangelo submitted his Minutes for the May 26, 2009 Finance and Facilities meeting. The meeting was called to order at 7:31 a.m. Executive Session to discuss personnel matters was called from 7:55 to 8:52 a.m. The meeting adjourned at 8:53 a.m.

5.0 COMMUNICATIONS

5.1 Breaking Ground, BCC Spring 2009 Literary Magazine

EXECUTIVE SESSION

Chairperson Moppert called for Executive Session to discuss personnel issues and collective bargaining. At 6:30 p.m. A motion was made by Trustee Newman to adjourn to Executive Session and seconded by Trustee Riley. The motion passed unanimously.

Dr. Hayes, Grant Newton and Elizabeth Wood were asked to attend Executive Session.

Trustee Akel made a motion to end Executive Session at 7:30 p.m. The motion was seconded by Trustee Orband.

Trustees went into Executive Session at 6:30 p.m. The Executive Session ended at 7:30 p.m.

Trustee Majewski made a motion to establish a Presidential Search budget of up to \$50,000 plus reimbursables to extend the Presidential search and to hire a search firm, subject to successful negotiations of terms of a contract with ACCT. The Motion was seconded by Trustee Orband and the motion was unanimously approved.

Trustee Newman made a motion to adjourn. The motion was seconded by Trustee Akel and the motion passed unanimously. The meeting adjourned at 7:32 p.m.

THE NEXT FULL BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, JUNE 25, 2009, IN THE DECKER HEALTH SCIENCES CENTER BUILDING.

DINNER WILL BE SERVED AT 5:30 P.M. IN THE KLEE DINING HALL AND THE MEETING WILL BEGIN AT 6:00 P.M. IN THE LIBOUS ROOM.