

**Cayuga County Community College
Auburn, New York**

Minutes of the regular meeting of the Board of Trustees held Wednesday, September 21, 2011, in the Business Industry Center, James T. Walsh Regional Economic Center on the Auburn Campus.

Present: Mrs. Jane Bowen
Mr. John M. Camardo
Mr. Jeffrey Edwards
Hon. George C. Fearon
Mr. John A. Karpinski
Ms. Pamela S. Kirkwood
Mr. Stanley J. Kott
Dr. Linda P. Van Buskirk
Mr. Byron Wall

Excused:

Also: Dr. Daniel P. Larson, President
Diane L. Hutchinson, Vice President of Administration & Treasurer
Jeffrey L. Hoffman, Executive Director of the Foundation
Jeffrey R. Rosenthal, Associate Vice President of Academic & Student Affairs
Cheryl A. Anderson, Dean of Enrollment Management
Carla DeShaw, Dean of Community Education & Workforce Development
John Taylor, Dean of Information Technology
Robert M. Frame, Director of Theatre Operations/President A/P Group
Susan Gilmore/Associate Professor/Faculty Association President
David L. Harbaugh, Network Operations Administrator/Data Center
JoAnn Harris, Office Manager, Fulton/ESP Co-President
Pete Liddell, Director of Athletics
Scott Whalen, Director of Human Resources
Michael Chamberlain, Executive Director Musical Theatre Festival
Karin Green, JMZ Architects and Planners, PC
Justin Murphy, Reporter, The Citizen
Carolyn L. Guariglia, Board Stenographer

Mr. Camardo called the meeting to order at 5:00 p.m.

Dr. Larson administered the official oath of office to new Student Trustee, Byron Wall.

1.0 COMMENTS FROM THE PUBLIC

None.

2.0 CONSENT AGENDA

Mr. Camardo presented the Consent Agenda which consisted of the August 17, 2011 Board Meeting Minutes, the August 2010 Budget Statement, August 2011 Budget Statement, the August 2011 Monthly Bills totaling \$1,501,099.31, the 2011-2012 Stipend Lists #1, #2, totaling \$488,307.25.

Motion to accept and approve the Consent Agenda made by Ms. Kirkwood, seconded by Mr. Fearon.

Motion carried following unanimous voice vote. (Appended 2.1, 2.2, 2.3, 2.4)

Mr. Camardo announced that the Board needed to adjourn into Executive Session to discuss the purchase of real property. Motion to adjourn into Executive Session made by Ms. Kirkwood, seconded by Mrs. Bowen and carried by unanimous voice vote. The Board adjourned into Executive Session at 5:05 p.m.

Ms. Kirkwood left the meeting at 6:00 p.m.

At 6:20 p.m. a motion was made by Mr. Kott to return to Regular Session, seconded by Mrs. Bowen and carried unanimously.

3.0 COMMITTEE RECOMMENDATIONS FOR BOARD APPROVAL

3.1 Buildings and Grounds

3.1.1 To Proceed with the Development & Expansion of the Fulton Campus Revise the project estimate for the renovation of the P&C Building

Mr. Kott made a motion to approve the following:

WHEREAS, the Board of Trustees of Cayuga Community College in April 2007 adopted the *2007 Facilities Master Plan Update*; and,

WHEREAS, the Cayuga County Legislature in August 2007 approved the *2007 Facilities Master Plan Update*; and,

WHEREAS, the State University of New York approved the *2007 Facilities Master Plan Update* as the guide for Cayuga Community College in its capital funding requests for the following five years; and,

WHEREAS, Cayuga Community College desires to address the need for student programs, services, and amenities at its Fulton campus that provide a traditional campus environment similar to the Auburn campus; and,

WHEREAS, the Board of Trustees of Cayuga Community College in December 2009 adopted *Option 3 - Move Entire Operation of the 2007 Facilities Master Plan Update* as its next steps with the development and expansion of the Fulton campus; and,

WHEREAS, the Board of Trustees of Cayuga Community College in December 2009 authorized the \$11.23 million project estimate for the appropriate next steps to acquire, purchase, design, build out, and equip the River Glen site and its accompanying acreage with fifty percent of such project costs coming from local funds and the remaining fifty percent to be sought from New York State funds; and,

WHEREAS, the estimated cost to acquire, purchase, design, build out, and equip the River Glen site and its accompanying acreage has increased by \$4.87 million as a result of the length of time needed to acquire and purchase the P&C Building, testing and remediation of on-site conditions, thermal improvements to the exterior walls, expanding the second floor from 21,000 square feet to 30,500 square feet, construction management services, and escalation to 2012; now, therefore, be it

RESOLVED, that the Board of Trustees of Cayuga Community College hereby authorizes an increase to the project estimate from \$11.23 million to \$16.1 million, for the appropriate next steps to design, build out, and equip the River Glen site, with fifty percent of such project costs coming from local funds and the remaining fifty percent to be sought from New York State funds.

3.0 COMMITTEE RECOMMENDATIONS FOR BOARD APPROVAL (continued)

3.1 Buildings and Grounds (continued)

3.1.1 (continued)

Motion seconded by Mr. Edwards.

Mr. Camardo stated that he was disappointed that the cost came in so much higher, and until he receives costs estimates as to how the money is being spent, he would not support the projects.

Mr. Kott also expressed his concern over the rising costs of the two projects. He stated that the purchase of the building was added, along with \$80,000 worth of site work and the fixing of exterior walls. It is being proposed to add the cost of the construction manager. The only other item that he knew of was the increase in the square footage.

Karin Green, from JMZ was present to walk the Board through the September 2, 2011 budget breakdown. Ms. Green also went over the estimate and itemization of soft costs.

Dr. Van Buskirk was concerned about the mold and asked if there was a diagnosis of the reason the mold developed over the summer.

Ms. Green stated that JMZ surmised that because the building has been empty and closed, with no adequate ventilation, the mold formed.

Mr. Kott asked Ms. Green to what degree of confidence did she have that this building could be built for the amount of money now being budgeted.

Ms. Green stated that she was 100% comfortable that JMZ could bring this in on budget.

Mr. Fearon asked if the Board would have to approve change orders. President Larson answered "yes".

A roll-call vote was taken with Ms. Bowen, Mr. Edwards, Mr. Fearon, Mr. Karpinski, Mr. Kott, Dr. Van Buskirk, and Mr. Wall voting "yes" and Mr. Camardo voting "no". Motion carried with 7 voting "yes" and 1 voting "no".

3.1.2 Authorization to sign a Contract with a Construction Management Firm

WHEREAS, the County of Cayuga, local sponsor of Cayuga Community College, and the State of New York have provided the requisite funding to complete Phase I of the relocation and expansion of the Fulton campus; and,

WHEREAS, the Board of Trustees of Cayuga Community College directed the President to negotiate a contract for the services of the firm LPCiminelli as the construction manager for this project; and,

WHEREAS, it is the desire of the Board of Trustees of Cayuga Community College to authorize the execution of a contract for the services of the firm LPCiminelli as construction manager for this project; now, therefore, be it

RESOLVED, that the Board of Trustees of Cayuga Community College hereby authorizes and directs the College administration to sign on behalf of the Board of Trustees a contract, with the fee to be negotiated by the President and not to exceed \$550,000 for construction management services, with the firm of LPCiminelli for Phase I of the Relocation and Expansion of the Fulton campus.

3.0 COMMITTEE RECOMMENDATIONS FOR BOARD APPROVAL (continued)

3.1 Buildings and Grounds (continued)

3.1.2 Authorization to sign a Contract with a Construction Management Firm

President Larson gave background information on six management firms and the four that were brought to campus for interviews. LPCiminelli is out of Buffalo, New York.

Motion to approve was made by Mr. Kott, seconded by Mr. Edwards and approved by unanimous roll-call vote.

3.1.3 Revise the project estimate for the construction of the new Performing Arts Center

WHEREAS, the Board of Trustees of Cayuga Community College in April 2007 adopted the *2007 Facilities Master Plan Update*; and,

WHEREAS, the Cayuga County Legislature in August 2007 approved the *2007 Facilities Master Plan Update*; and,

WHEREAS, the State University of New York approved the *2007 Facilities Master Plan Update* as the guide for Cayuga Community College in its capital funding requests for the following five years; and,

WHEREAS, Cayuga Community College has identified the need for a state-of-the-art performance space with enhanced technical training capacity for its Theatre program to create expanded training, placement, and job opportunities for students, faculty, and staff during the academic year and during the Summer through a partnership with the Merry-Go-Round Theatre and its Musical Theatre Festival; and,

WHEREAS, the downtown Auburn location of such performance space will increase the College engagement with the community, offers a unique opportunity to leverage the arts and education for economic development, and helps to establish a strong Upstate/Downstate partnership; and,

WHEREAS, the Board of Trustees of Cayuga Community College in December 2009 added the Performing Arts Center project by amending its *2007 Facilities Master Plan Update*; and,

WHEREAS, the Board of Trustees of Cayuga Community College in December 2009 authorized the \$4.93 million project cost estimate for the appropriate next steps to acquire the theatre site, to design and construct the new performing arts center, and to outfit the facility with equipment needed for its use as a theatre space, with fifty percent of such project cost coming from local funds through the capital fundraising campaign of the Music Theatre Festival and the remaining fifty percent to be sought from New York State funds; and,

WHEREAS, the estimated cost to design and construct the new Performing Arts Center has increased by \$2.79 million as a result of the complex and challenging nature of the site itself, actual estimates of construction costs and equipment costs, and increases in design and development due to being a public project, and escalation to 2012; now, therefore, be it

RESOLVED, that the Board of Trustees of Cayuga Community College hereby authorizes increasing the project estimate from \$4.93 million to \$7.72 million, with fifty percent of such project costs coming from local funds through the capital fundraising campaign of the Music Theatre Festival and the remaining fifty percent to be sought from New York State funds.

3.0 COMMITTEE RECOMMENDATIONS FOR BOARD APPROVAL (continued)

3.1 Buildings and Grounds (continued)

3.1.3 Revise the project estimate for the construction of the new Performing Arts Center (continued)

Motion to approve made by Mr. Kott, seconded by Mr. Fearon.

The construction management firm for the project and Executive Director of the Musical Theatre Festival, Michael Chamberlain, brought the Board up-to-date on the current budget situation.

Motion carried following a roll-call vote with Ms. Bowen, Mr. Edwards, Mr. Fearon, Mr. Karpinski, Mr. Kott, Dr. Van Buskirk, and Mr. Wall voting "yes", and Mr. Camardo voting "no".

3.1.4 Naming Opportunities of the *Schwartz Family Performing Arts Center*

Whereas, Cayuga Community College is undertaking the design and construction of the Arts Education & Performance Center in downtown Auburn; and,

Whereas, the Board of Trustees of Cayuga Community College approved a resolution naming the Arts Education & Performance Center as the *Schwartz Family Performing Arts Center*; and,

Whereas, the *Schwartz Family Performing Arts Center* will serve Cayuga students as an educational and training resource, and as a venue for the Finger Lakes Musical Theatre Festival, drawing an estimated more than 150,000 visitors annually to central New York as a top destination in the nation for summer musical theatre; and,

Whereas, the Finger Lakes Musical Theatre Festival, working in conjunction with the Cayuga Community College Foundation, be allowed to sell naming opportunities of the seats in the *Schwartz Family Performing Arts Center* for \$1,000 each; and,

Whereas, these naming rights do not imply use or ownership of the seat, and the naming rules will be defined by the Cayuga Community College Foundation; and,

Whereas, the Finger Lakes Musical Theatre Festival will absorb the cost of creating and applying plaques to named/dedicated seats; now, therefore, be it

Resolved, that the Board of Trustees of Cayuga Community College does hereby approve the naming of seats in the *Schwartz Family Performing Arts Center* for \$1,000 each.

Motion to approve made by Mr. Kott, seconded by Dr. Van Buskirk and carried following unanimous roll-call vote.

Mr. Kott gave an update on student housing. It was agreed at the last Student Housing Committee meeting that the Committee should meet with the architect to find space within the current campus to build student housing.

3.2 Finance

No Report.

3.0 COMMITTEE RECOMMENDATIONS FOR BOARD APPROVAL (continued)

3.3 Personnel

Mr. Edwards presented the following personnel items and moved their approval.

3.3.1 Administrative/Professional Termination:

Resolved, that the termination of Paulette Brown-Haithcox, as Broadband Coordinator be accepted effective September 23, 2011.

Motion seconded by Mr. Kott and carried following unanimous voice vote.

3.3.2 Faculty Resignation:

RESOLVED, that the resignation of Patrick McPeak, as Director of Student Development be accepted effective October 14, 2011.

Motion seconded by Mr. Kott and carried following unanimous voice vote.

3.3.3 Faculty Continuing Appointment(s):

In compliance with Article XI, Section Three of the 2004-2011 Contract between the College Board of Trustees and the Faculty Association, the following individuals are recommended for Continuing Appointment and promotion to Assistant Professor:

Mary Driscoll/Instructor of Nursing and Jeffrey Shea/Instructor of Mathematics

RESOLVED, that effective January 2012, **Mary Driscoll** and **Jeffrey Shea** be promoted to the rank of Assistant Professor and granted Continuing Appointment.

Motion seconded by Mr. Kott and carried following unanimous roll-call vote.

3.3.4 Creation of Administrative/Professional Positions:

3.3.4.1 Manager of Information Technology User Services:

RESOLVED, that the full-time position of Manager of Information Technology User Services (Administrative/Professional Grade 6) be created effective November 1, 2011 at a salary of \$62,307. This position replaces the title of Coordinator of Technical and Media Services.

Motion seconded by Ms. Bowen and carried following roll-call vote, with Ms. Bowen, Mr. Edwards, Mr. Fearon, Mr. Karpinski, Mr. Kott, Dr. Van Buskirk, and Mr. Wall voting "yes", and Mr. Camardo voting "no".

3.3.4.2 Manager of Network Operations and Systems Administration:

RESOLVED, that the full-time position of Manager of Network Operations and Systems Administration (Administrative/Professional Grade 6) be created effective November 1, 2011 at a salary of \$69,053. This position replaces the title of Network Operations Administrator.

Motion seconded by Ms. Bowen and carried following roll-call vote, with Ms. Bowen, Mr. Edwards, Mr. Fearon, Mr. Karpinski, Mr. Kott, Dr. Van Buskirk, and Mr. Wall voting "yes", and Mr. Camardo voting "no".

3.0 COMMITTEE RECOMMENDATIONS FOR BOARD APPROVAL (continued)

3.1 Buildings and Grounds (continued)

3.3 Personnel (continued)

3.3.4.3 Enterprise Systems Integrator:

RESOLVED, that the full-time position of Enterprise Systems Integrator (Administrative/Professional Grade 5) be created effective December 1, 2011 at a salary of \$51,135. This position replaces the title of Computer Operator.

Motion seconded by Ms. Bowen and carried following unanimous roll-call vote.

3.3.4.4 Network Desktop Support Specialist:

RESOLVED, that the full-time position of Network Desktop Support Specialist (Administrative/Professional Grade 4) be created effective December 1, 2011 at a salary of \$46,026.

Motion seconded by Ms. Bowen and carried following unanimous roll-call vote.

Mr. Edwards noted that 3.3.5, 3.3.6, and 3.3.7 were pulled from the agenda at committee.

4.0 REPORTS

4.1 President's Report

4.1.1 President: Dr. Larson stated the Trustees received a copy of his activities for August/September and gave the following President's report:

- The final fall enrollment numbers should be available by Thanksgiving.
- August 31, 2011 was the Opening of the "New York Remembers" exhibition. This was an exhibition that was organized by Governor Andrew Cuomo's Office as part of the statewide recognition of the 10th anniversary of the September 11, 2001 terrorist attacks. A week later, the Lt. Governor was present on campus to repeat the presentation. Dr. Larson commended Director of Building and Grounds, Kevin Drayer and his staff for all the work they did to set up the exhibits.
- Received our official 2009 cohort default rate, which was 10.2%. The national average is 11.9%.

4.1.2 Vice President of Academic and Student Affairs: Vice President Herron is at SUNY for a new employee orientation. Associate VP Rosenthal stated that the Board has her report, but wanted to point out that the 2011 nursing graduates earned 100% pass rate on the National Council Licensure exam for the first time in the College's history.

4.1.3 Vice President of Administration: Vice President Hutchinson gave the following highlights from her report:

- The GASB 45 Other Post-employment Benefits Actuarial Valuation for the FY ending 8/31/2011 is included with her report. If anyone has a question, you can call VP Hutchinson or e-mail her.

4.1.4 Foundation Executive Director: Executive Director Hoffman highlighted the following:

- Last week, President Larson, Trustees Camardo and Kott met with the Executive Foundation Committee. It was a productive meeting and hope for another meeting in the future.

4.0 REPORTS (continued)

4.1 President's Report (continued)

4.1.5 Fulton Associate Vice President: No report.

4.1.6 Associate Vice President of Academic & Student Affairs: Reported for Dr. Herron.

4.1.7 Deans:

4.1.7.1 Dean of Community Education and Workforce Development: Dean DeShaw reported the following:

- Registrations as of September 1st are at 995. Last year for the entire fall semester, the number was 900. Many classes have closed out.
- Dean DeShaw will be facilitating the Governor's Economic Regional Development Council meeting scheduled for Friday, October 7.

4.1.7.2 Dean of Enrollment and Retention: Dean Anderson gave the following report:

- Lattimore Hall is full.
- Two UK students are looking to enroll at Cayuga in January as well as several Cameroon students.
- A group will be traveling to India in February.

4.1.7.3 Dean of Technology: Dean Taylor gave the following report:

- Required updates to Banner software are underway.
- An IT security audit will begin on October 12 and completed by spring break.

4.1.8 Student Trustee: Trustee Wall stated that he met earlier with President Larson. One of Student Trustee Wall's main goals will be to improve the student atmosphere congruent with what you would see at a four-year school.

5.0 OLD BUSINESS

6.0 NEW BUSINESS

An MOU with Cayuga County will need to be authorized to deal with payment of capital costs for the Fulton project. There is concern about who will pay the taxes in Oswego County. The MOU would provide details to assure Cayuga County that the College will take care of its obligations with this project.

Motion to create an MOU made by Mr. Fearon, seconded by Mr. Edwards and carried by unanimous voice vote.

After some discussion, the October Board of Trustees meeting will be held on Thursday, October 20 beginning at 6:00 p.m. in the Business and Industry Center.

Motion to approve made by Ms. Bowen, seconded by Mr. Kott and carried by unanimous voice vote.

7.0 **COMMUNICATIONS**
Communication item were noted.

8.0 **INFORMATION**
Information items were noted.

9.0 **EXECUTIVE SESSION**
Mr. Camardo announced that the Board needed to adjourn into Executive Session to discuss contract negotiations.

Motion to adjourn into Executive Session made by Ms. Bowen, seconded by Mr. Kott and carried by unanimous voice vote. The Board adjourned into Executive Session at 7:45 p.m.

At 8:10 p.m. a motion was made by Ms. Bowen to return to Regular Session, seconded by Mr. Edwards and carried unanimously.

10.0 **ADJOURNMENT**
Mr. Edwards moved to adjourn the meeting, seconded by Ms. Bowen and carried by unanimous voice vote. The meeting adjourned at 8:11 p.m.

Recorded and transcribed by:

Carolyn L. Guariglia
Board Stenographer

Respectfully submitted:

Stanley J. Kott, Secretary
Board of Trustees

10/13/11