

NASSAU COMMUNITY COLLEGE  
Garden City, New York

BOARD OF TRUSTEES' CALENDAR

Meeting of May 1, 2014

For the five hundred seventieth meeting of the Board of Trustees on Thursday, May 1, 2014, the following items, reports, and communications are submitted for consideration and action. The Board of Trustees will open its meeting between 6:15 p.m. and 6:30 p.m. on the 11<sup>th</sup> floor of the Administration Tower. It is anticipated that the Board will go into Executive Session pursuant to Section 105 of the Open Meetings Law of the State of New York for the following purposes: 1) to discuss matters relating to collective bargaining involving the NCCFT and the AFA; and 2) to discuss matters involving litigation relating to the labor dispute with the AFA. The Board will reopen its public session at approximately 7:30 p.m. on the 11<sup>th</sup> floor of the Administration Tower.

Salute to the Flag.

**Approval of Minutes**

Approval of the November 19, 2013 Minutes are presented for approval.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

Approval of the March 18, 2014 Minutes are presented for approval.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

**REPORTS OF THE STANDING COMMITTEES**

Finance and Capital Committee

1. Expenditures

- a) **RESOLVED**, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH PRATT BROTHERS, INC. FOR \$115,000.00 FOR SNOW REMOVAL, EARTH MOVING & EXCAVATION EQUIPMENT INCLUDING OPERATOR PRICING AGREEMENT (FUNDING SOURCE: OPERATING BUDGET)

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

- b) **RESOLVED**, THAT THE PENDING COLLEGE PROCUREMENT AGREEMENT WITH RETREAT, INC. FOR \$50,000 FOR A FEDERAL GRANT TO REDUCE SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING ON CAMPUS (FUNDING SOURCE: GRANT)

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

2. Donation

**WHEREAS**, THE FACULTY STUDENT ASSOCIATION, INC. WILL DONATE (2) OAK FLAT FILES 20 X 42 MEDIUM OAK 3 DRAWER WITH COST OF \$399.00 TO BE PLACED IN THE INTERIOR DESIGN LAB, AND

**WHEREAS**, THE FACULTY STUDENT ASSOCIATION, INC. WILL DONATE (1) OAK FLAT FILES 42 X 30 MEDIUM OAK CAP WITH A COST OF \$233.00 TO BE PLACED IN THE INTERIOR DESIGN LAB, AND

**WHEREAS**, THE FACULTY STUDENT ASSOCIATION, INC. WILL DONATE (1) KUTRIMMER 29” TRIMMING BOARD WITH A COST OF \$799.00 TO BE PLACED IN THE INTERIOR DESIGN LAB, AND

**WHEREAS**, THE FACULTY STUDENT ASSOCIATION, INC. INCURRED SHIPPING CHARGES OF \$269.00 FOR THESE ITEMS, AND

**WHEREAS**, THE FACULTY STUDENT ASSOCIATION, INC. HAS VOTED AT THEIR FEBRUARY 26, 2014 BOARD MEETING TO DONATE (1) KUTRIMMER 29 IN, (2) OAK FLAT FILES 30 X 42 MEDIUM 3 DRAWER, AND (1) OAK FLAT FILES 42 X 30 MEDIUM CAP (INVOICE ATTACHED), THEREFORE,

**BE IT RESOLVED**, THAT THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES ACCEPTS THIS DONATION WITH A TOTAL VALUE OF \$2099 FROM THE FACULTY STUDENT ASSOCIATION, INC.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

3. Facilities

“Shatterproof,” a non-profit dedicated to assisting individuals to overcome substance addictions, has requested a waiver of rental fees for the use of the Tower Building and other facilities to sponsor a fund raising event on May 27, 2014. The event will be conducted by “Over the Edge” and will consist of volunteers rappelling from the Tower roof. “Over the Edge” organized and successfully executed a rappelling fund raising event using the Tower Building in October 2012 in support of the New York Special Olympics. All issues of liability and insurance have been addressed and undergone legal review. An MOU has been signed by all parties indemnifying NCC.

**RESOLVED**, THAT THE RENTAL FEE BE WAIVED FOR USE OF NASSAU COMMUNITY COLLEGE FACILITIES ON MAY 27, 2014, IN SUPPORT OF THE FUND RAISING EVENT FOR “SHATTERPROOF”, A NON-PROFIT ORGANIZATION DEDICATED TO ASSISTING INDIVIDUALS TO OVERCOME SUBSTANCE ADDICTIONS, AND BE IT

**FURTHER RESOLVED**, THAT ALL ASSOCIATED PERSONNEL AND MAINTENANCE COSTS WILL BE BORNE BY THE USER.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

4. College Treasurer

**WHEREAS**, THE ROLE OF TREASURER AT NASSAU COMMUNITY COLLEGE HAS BEEN PERFORMED BY AN INTERIM TREASURER SINCE IT WAS VACATED BY THE FULL-TIME TREASURER ON MAY 16, 2013, AND

**WHEREAS**, NASSAU COMMUNITY COLLEGE DESIRES TO APPOINT A FULL-TIME TREASURER THAT HAS BEEN FULLY VETTED BY AN APPROPRIATE EMPLOYEE SEARCH, AND FOUND TO BE ACCEPTABLE TO THE ADMINISTRATION AND THE BOARD OF TRUSTEES OF NASSAU COMMUNITY COLLEGE, AND

**WHEREAS**, AN APPROPRIATE CANDIDATE HAS BEEN FOUND AND HAS AGREED TO THE TERMS OF EMPLOYMENT AS THE FULL-TIME TREASURER OF NASSAU COMMUNITY COLLEGE, THEREFORE

**BE IT RESOLVED**, THAT THE BOARD OF TRUSTEES OF NASSAU COMMUNITY COLLEGE HEREBY APPOINTS LISA HAHN TO THE POSITION OF COLLEGE TREASURER, AND IS AUTHORIZED BY THE BOARD OF TRUSTEES TO IMPLEMENT AND ADMINISTER THE INVESTMENT POLICY OF NASSAU COMMUNITY COLLEGE RELATIVE TO ALL ACCOUNTS NOT UNDER THE AUSPICES OF THE NASSAU COUNTY TREASURER, AND

**FURTHER RESOLVED**, THAT MS. HAHN IS AUTHORIZED BY THE BOARD OF TRUSTEES AS AN AUTHORIZED SIGNATORY FOR ALL SUCH BANK ACCOUNTS NOT UNDER THE AUSPICES OF THE NASSAU COUNTY TREASURER, AND

**FURTHER RESOLVED**, THAT IN ACCORDANCE WITH THE EDUCATION LAW AND THE COLLEGE'S INVESTMENT POLICY, THE TREASURER SHALL BE APPROPRIATELY BONDED.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

5. Personnel, Affirmative Action and Labor

a. Promotions

The collective bargaining agreement with the Nassau Community College Federation of Teachers, covering full-time College faculty, sets forth the criteria and procedures for faculty promotions. The College-Wide Promotion and Tenure Committee has reviewed all promotion applications and now recommends to the Board of Trustees, pursuant to the terms of said collective bargaining agreement, that the Board of Trustees promote the faculty members listed herein below.

**RESOLVED**, THAT PURSUANT TO THE TERMS OF THE FACULTY COLLECTIVE BARGAINING AGREEMENT, AND UPON THE RECOMMENDATION OF THE COLLEGE-WIDE PROMOTION AND TENURE COMMITTEE AND THE COLLEGE ADMINISTRATION, THE FACULTY MEMBERS NAMED HEREIN ARE HEREBY PROMOTED TO THE TITLE AND POSITION AS INDICATED HEREIN, EFFECTIVE SEPTEMBER 1, 2014.

Promotion to Full Professor

<u>Name</u>	<u>Department</u>
Emad Alfar	Math/CompSci/IT
Gail Cavallo	Music
Robert Costello	Criminal Justice
Anne Fitzgibbon	Nursing
Duane Esposito	English
Zhanshu Liu	English
Cheryl Novins	Reading and Basic Education
Linda Rohan	Nursing
Ricardo J. Santos	English
Jane Segadelli	Student Personnel Services
Ines Senna Shaw	English
John J. Spano	Biology
Deana M. Spelman	Math/CompSci/IT
Joyce Stern	Reading and Basic Education
Margaret Toomey	Health, Phy. Education and Recreation
Theresa A. Vecchiarelli	Math/CompSci/IT
Jim Yih-Jin Young	Sociology/Anthropology/Social Work

Promotion to Associate Professor

Kim Flugmacher Ballerini	English
Allison Bressmer	Reading and Basic Education
Claudia Cage	Art
Susan E. Cushman	English
Janine Ferraro	Criminal Justice
Michael Forte	Reading and Basic Education
Donna M. Hope	Marketing, Retailing, Fashion
Harry J. Marenstein	Music
Carolyn Monastra	Art
Gary Ostertag	Philosophy
Rachel Rojas	Math/CompSci/IT
Stephanie Sapiie	History, Political Science and Geography
David A. Stern	Physical Sciences
Marguerite Johnson Teubner	Accounting & Business Administration
Joel Vessels	History, Political Science and Geography

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

b. Establishment of Presidential Search Committee

**BE IT RESOLVED** THAT THERE IS HEREBY ESTABLISHED THE NASSAU COMMUNITY COLLEGE PRESIDENTIAL SEARCH COMMITTEE, AND

**BE IT FURTHER RESOLVED** THAT SAID COMMITTEE SHALL BE COMPOSED OF THE FOLLOWING MEMBERS: TRUSTEE ARNOLD DRUCKER, CO-CHAIR; TRUSTEE WANDA

JACKSON CO-CHAIR; TRUSTEE EDWARD POWERS; AND TRUSTEE ABIGAIL CHAMPNESS IN THE CAPACITY AS STUDENT TRUSTEE, AND

**BE IT FURTHER RESSOLVED** THAT FORMER MEMBER OF THE NCC BOARD OF TRUSTEES, PAUL LEVENTHAL SHALL BE THE COMMUNITY REPRESENTATIVE; AND

**BE IT FURTHER RESOLVED** THAT THE FOLLOWING ENTITIES SHALL HAVE THE RIGHT TO RECOMMEND ONE REPRESENTATIVE OF THEIR OWN CHOOSING FOR APPOINTMENT AS A MEMBER OF THE COMMITTEE: THE ACADEMIC SENATE; THE DEPARTMENT CHAIRS; THE NASSAU COMMUNITY COLLEGE FEDERATION OF TEACHERS; THE ADJUNCT FACULTY ASSOCIATION OF NASSAU COMMUNITY COLLEGE; THE CIVIL SERVICE EMPLOYEES ASSOCIATION AT NASSAU COMMUNITY COLLEGE; THE STUDENT GOVERNMENT ASSOCIATION; AFRICAN, LATINO, ASIAN, NATIVE AMERICAN ASSOCIATION (A.L.A.N.A); THE WOMEN'S FACULTY ASSOCIATION; THE NCC ALUMNI ASSOCIATION; THE UNGRADED ADMINISTRATORS; THE NASSAU COUNTY EXECUTIVE; THE MAJORITY CAUCUS OF THE NASSAU COUNTY LEGISLATURE; AND THE MINORITY CAUCUS OF THE NASSAU COUNTY LEGISLATURE, AND

**BE IT FURTHER RESOLVED** THAT THE ENTITIES ENUMERATED HEREIN SHALL HAVE UNTIL 5 PM ON MAY 9, 2014 TO DESIGNATE THEIR SELECTION OF A REPRESENTATIVE TO THE COMMITTEE AND TO FORWARD SUCH DESIGNEE TO THE SECRETARY OF THE BOARD BY SAID TIME AND DATE, AND IF AN ENTITY ENUMERATED IN THIS RESOLUTION HAS NOT DESIGNATED A REPRESENTATIVE AND SO FORWARDED IT BY SAID TIME AND DATE, THEN SUCH ENTITY SHALL BE EXCLUDED FROM HAVING A REPRESENTATIVE PARTICIPATE AS A MEMBER OF THE COMMITTEE, AND

**BE IT FURTHER RESOLVED** THAT THE BOARD SHALL CONSIDER AT ITS MEETING ON MAY 20, 2014 A RESOLUTION CONSISTING OF THE NAMES OF THE REPRESENTATIVES SO DESIGNATED VIA THE PROCESSES HEREIN DESCRIBED.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

c. Former Chair of the Board, Michael Freeman

**WHEREAS**, ON OR ABOUT THE 7TH DAY OF OCTOBER, 2011, THIS BOARD AND THE COLLEGE COMMUNITY LEARNED THAT MICHAEL M. FREEMAN, THEN A SITTING TRUSTEE AND BOARD CHAIR, HAD BEEN INDICTED FOR SERIOUS CRIMES IN THE UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK, AND

**WHEREAS**, THE MINUTES OF SEVERAL SUBSEQUENT PROCEEDINGS OF THIS BOARD MENTION THE FACT OF THE AFOREMENTIONED INDICTMENT, AND

**WHEREAS**, ON APRIL 1, 2014, AFTER A FULL TRIAL AND JURY VERDICT OF "NOT GUILTY" ON ALL COUNTS, THE UNITED STATES DISTRICT COURT DISMISSED ALL CHARGES AGAINST FORMER TRUSTEE MICHAEL M. FREEMAN, AND

**WHEREAS**, IT IS FITTING AND JUST THAT THE PAST MINUTES OF THIS BOARD'S PROCEEDINGS WHICH MENTION THIS CRIMINAL ACCUSATION SHOULD ALSO REFLECT THE FACT OF THE EXONERATION OF FORMER TRUSTEE FREEMAN.

**NOW, THEREFORE, BE IT RESOLVED,** THAT A COPY OF THIS RESOLUTION SHOULD BE AFFIXED TO ALL PRIOR MINUTES OF THIS BOARD'S PROCEEDINGS WHICH REFER TO THE INDICTMENT OF MICHAEL M. FREEMAN, AND IT IS FURTHER

**RESOLVED,** THAT MICHAEL M. FREEMAN IS CONGRATULATED ON HIS COMPLETE EXONERATION.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

d. AFA

**WHEREAS,** ON MARCH 18, 2014, A RESOLUTION WAS PASSED THAT THE BOARD GO INTO EXECUTIVE SESSION PURSUANT TO PUBLIC OFFICER LAW, SECTION 105, FOR THE FOLLOWING PURPOSES: 1) TO DISCUSS MATTERS RELATING TO COLLECTIVE BARGAINING INVOLVING THE NCCFT AND THE AFA; AND 2) TO DISCUSS MATTERS INVOLVING LITIGATION RELATING TO THE LABOR DISPUTE WITH THE AFA, AND

**WHEREAS,** ON THE SAME DATE, WHEN THE BOARD WENT INTO EXECUTIVE SESSION, THE COLLEGE'S ATTORNEYS RECOMMENDED THAT THE ACTING PRESIDENT TAKE THE FOLLOWING ACTIONS: (A) THE TERMINATION OF ADJUNCT EMPLOYMENT CONTRACTS FOR SOME MEMBERS OF THE AFA WHO ENGAGED IN A STRIKE, AND (B) THE SUSPENSION OF RELEASED TIME RIGHTS AND PAYMENTS FOR RELEASED TIME RIGHTS OF AFA OFFICERS AND DEPARTMENT REPRESENTATIVES WHO CAUSED, ENGAGED IN OR ENCOURAGED SAID STRIKE, AND (C) THE SUSPENSION OF SENIORITY RIGHTS OF AFA MEMBERS WHO PARTICIPATED IN SAID STRIKE, AND

**WHEREAS,** THE ACTING COLLEGE PRESIDENT THEREUPON STATED THAT HE WOULD TAKE SUCH ACTIONS ONLY IF THERE WAS A CONSENSUS OF BOARD MEMBERS IN SUPPORT OF HIS DOING SO, AND

**WHEREAS,** AT LEAST ONE TRUSTEE PROTESTED THAT THIS MATTER WAS NOT SPECIFIED IN THE MOTION FOR EXECUTIVE SESSION AND COULD BE DISCUSSED ONLY IN PUBLIC SESSION, AND

**WHEREAS,** THEREUPON AND NEVERTHELESS, EACH TRUSTEE WAS ASKED TO STATE SUPPORT OR NON-SUPPORT OF SUCH ACTIONS, RESULTING IN 5 IN FAVOR AND 2 OPPOSED, AND

**WHEREAS,** THE BOARD'S CHAIR ANSWERED ONE TRUSTEE, WHO REMARKED THAT THE ITEM HAS FAILED BECAUSE IT LACKED 6 VOTES, BY PRONOUNCING THAT IT WAS NOT A VOTE, BUT A CONSENSUS IN FAVOR OF THE ACTIONS, AND

**WHEREAS,** DESPITE AT LEAST ONE TRUSTEE'S DEMAND THAT THE RESULT OF THE VOTE BE ANNOUNCED AT THE BOARD'S SUBSEQUENT OPEN MEETING, THE CHAIR REFUSED TO ALLOW SUCH PUBLIC NOTICE OF SAID ACTION, AND

**WHEREAS,** IT IS MORE FITTING AND PROPER THAT THE AFORESAID ISSUES BE DECIDED IN PUBLIC SESSION.

**NOW, THEREFORE, BE IT RESOLVED,** THAT THE ACTING PRESIDENT IS DIRECTED TO TAKE THE FOLLOWING ACTIONS: (A) TO TERMINATE ADJUNCT EMPLOYMENT CONTRACTS FOR SOME MEMBERS OF THE AFA WHO ENGAGED IN A STRIKE, AND (B) SUSPEND RELEASED TIME RIGHTS AND PAYMENT FOR RELEASED TIME RIGHTS OF AFA OFFICERS AND DEPARTMENT REPRESENTATIVES WHO CAUSED, ENGAGED IN OR ENCOURAGED SUCH STRIKE, AND (C) SUSPEND SENIORITY RIGHTS OF AFA MEMBERS WHO PARTICIPATED IN SUCH STRIKE.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_

**Additional Item**

5) e **Collective Bargaining Agreement**

**RESOLVED**, THAT UPON THE RECOMMENDATIONS OF THE COLLEGE'S COLLECTIVE BARGAINING TEAM AND THE COLLEGE ADMINISTRATION, THE TERMS OF THE PROPOSED COLLECTIVE BARGAINING AGREEMENT COVERING THE PERIOD SEPTEMBER 1, 2013 THROUGH AUGUST 31, 2017 BETWEEN THE COLLEGE/COUNTY AND THE NASSAU COMMUNITY COLLEGE FEDERATION OF TEACHERS (NCCFT) BE APPROVED BY THE BOARD OF TRUSTEES OF NASSAU COMMUNITY COLLEGE, AND BE IT

**FURTHER RESOLVED**, THAT DR. KENNETH K. SAUNDERS, ACTING PRESIDENT OF NASSAU COMMUNITY COLLEGE, BE AUTHORIZED TO EXECUTE THE FORMAL COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF NASSAU COMMUNITY COLLEGE AND THE BOARD OF TRUSTEES OF NASSAU COMMUNITY COLLEGE, AND BE IT

**FURTHER RESOLVED**, THAT THE BOARD OF TRUSTEES OF NASSAU COMMUNITY COLLEGE RECOMMENDS THE APPROVAL AND ADOPTION OF SAID COLLECTIVE BARGAINING AGREEMENT WITH THE NCCFT BY THE COUNTY EXECUTIVE AND THE NASSAU COUNTY LEGISLATURE.

For: \_\_\_\_\_ Against: \_\_\_\_\_ Abstain: \_\_\_\_\_