

NASSAU COMMUNITY COLLEGE
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of June 9, 2020

The six hundred thirty-seventh meeting of the Board of Trustees was held on Tuesday, June 9, 2020 via Zoom. The meeting was called to order by Vice Chair Weiss at 5:48 p.m. followed by a salute to the flag.

Present: Kathy Weiss, Vice Chair
Edward Powers, Secretary;
John A. DeGrace, John R. Durso, Wanda H. Jackson, George Siberón.

Absent: Jorge L. Gardyn, Linda H. Green, Donna M. Tuman

Also in attendance: President Williams

Vice Chair Weiss 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 negotiations involving the Nassau Community College Administrators Association; 2) to discuss matters relating to negotiations involving the NCCFT; 3) to discuss matters relating to negotiations involving the CSEA; 4) to discuss matters involving proposed, pending or current litigation; and 5) of reviewing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Trustee Siberón moved the motion; seconded by Trustee Durso. Motion carried 6-0.

Vice Chair Weiss resumed the open meeting at 7:11 p.m.

Present: Kathy Weiss, Vice Chair
Edward Powers, Secretary;
John A. DeGrace, John R. Durso, Wanda H. Jackson, George Siberón.

Absent: Jorge L. Gardyn, Linda H. Green, Donna M. Tuman

Also in attendance: President Williams

1. Approval of Minutes

Vice Chair Weiss requested a motion to approve the minutes of May 12, 2020. Trustee Jackson moved the motion; seconded by Trustee Durso. Motion carried 6-0.

2. Trustee Siberón introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Seaford Ave. Corp in the amount of \$500,000, as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

3. Trustee Powers introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Maccarone Plumbing, Inc. in the amount of \$500,000 as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

4. Trustee Jackson introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Saracino Construction Corp. in the amount of \$500,000 as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

5. Trustee Durso introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with GLS-Gordon L. Seamen in the amount of \$500,000 as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

6. Trustee DeGrace introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with LEB Electric Ltd in the amount of \$500,000 as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

7. Trustee Siberón introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Best Climate Control Corp in the amount of \$500,000 as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

8. Trustee Powers introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with VRD Contracting Inc. in the amount of \$10,761,779.60 as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project 70050 and 70109)

Vice Chair Weiss requested a motion to consider items 2 through 8. Trustee Powers moved the motion; seconded by Trustee Durso. Motion carried 6-0.

9. Trustee Jackson introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Academic, Student Affairs & Enrollment Management Committee, the Nassau Community College Board of Trustees hereby approves the proposal by the department of Chemistry for an AAS degree in Chemical Technology and recommends the approval of this program by the State University of New York.

Vice Chair Weiss requested a motion to consider this item. Trustee Durso moved the motion; seconded by Trustee Jackson. Motion carried 6-0.

10. Second Reading: Policy 2300 Anti-Discrimination and Complaint Procedure

Trustee Weiss stated the purpose of Policy 2300 Anti-Discrimination is to ensure the College's commitment to diversity and pluralism of values and beliefs are protected, and that all students, faculty, employees and staff are able to work and study in an environment that is free from bias, discrimination and harassment. Dr. Williams commented that the policy has been vetted through the appropriate constituencies and that minor adjustments were made.

11. Second Reading: Policy 5300: Student Health Office:

Trustees Weiss stated the purpose of Policy 5300 Student Health Office is to set out the immunization requirements for College students and to outline the responsibilities of the Student Health Office in ensuring the College's compliance with applicable health laws and regulations. Dr. Williams mentioned the policy was thoroughly researched and vetted.

12. First Reading: Policy 4100: Admissions

Trustee Weiss stated this is the first reading of Policy 4100 Admissions. The College's current Admissions policy was never a formal Board policy. The purpose of the policy is to change re-admission for returning students. Previously returning students who did not attend another college had to be re-admitted into their previous major and then secure approval into a new program of study. In order to have the Policy in place prior to September, it was recommended by the committee that the Board consider adoption of Policy 4100 after the first reading of the Policy at the June 9th Board Meeting. Dr. Williams commented that the Policy went through the Academic Senate process.

Vice Chair Weiss made a motion under Article VIII section C(6) of the Rules of Procedure to allow for the consideration of five (5) items that did not appear on the Calendar. Trustee Powers seconded the motion. Motion carried 6-0.

10. Trustee Weiss introduced the following resolution:

RESOLVED, that upon the recommendation of the Policy & Planning Committee at its meeting **February 11, 2020**, followed by two readings of the policy by the Board of Trustees and public discussion, the Board of Trustees of Nassau Community College adopts **Policy 2300** Anti-Discrimination and Complaint Procedure and that the same be subsequently incorporated into the policy manual of the Board of Trustees of Nassau Community College.

Vice Chair Weiss requested a motion to consider this item. Trustee Jackson moved the motion; seconded by Trustee Durso. Motion carried 6-0.

11. Trustee Durso introduced the following resolution:

RESOLVED, that upon the recommendation of the Policy & Planning Committee at its meeting **February 11, 2020**, followed by two readings of the policy by the Board of Trustees and public discussion, the Board of Trustees of Nassau Community College adopts **Policy 5300: Student Health Office** and that the same be subsequently incorporated into the policy manual of the Board of Trustees of Nassau Community College.

Vice Chair Weiss requested a motion to consider this item. Trustee Jackson moved the motion; seconded by Trustee DeGrace. Motion carried 6-0.

12. Trustee Siberón introduced the following resolution:

RESOLVED, that upon the recommendation of the Policy & Planning Committee at its meeting **June 9, 2020**, followed by a discussion and reading of the policy by the Board of Trustees and public discussion, the Board of Trustees of Nassau Community College adopts **Policy 4100: Admissions** and that the same be subsequently incorporated into the policy manual of the Board of Trustees of Nassau Community College.

Vice Chair Weiss requested a motion to consider this item. Trustee Jackson moved the motion; seconded by Trustee Durso. Motion carried 6-0.

13. Trustee Powers introduced the following resolution:

WHEREAS, between January 2014 and April 2019, Dover Gourmet Group operated vending machines on the College's Campus;

WHEREAS, in consideration for operating vending machines on the Campus, Dover was contractually obligated to make revenue payments to the College, and was delinquent in its payments;

WHEREAS, as of April, 2019, when the College terminated its relationship with Dover, Dover had an outstanding balance of \$213,925.92 in unpaid revenues.

RESOLVED, that Nassau County Attorney is herewith authorized to institute litigation against Dover Gourmet Group in order to recover an outstanding balance of \$213,925.92 due and owing by Dover Gourmet Group to Nassau Community College.

Vice Chair Weiss requested a motion to consider this item. Trustee Durso moved the motion; seconded by Trustee Siberón. Motion defeated 4 (Durso, Jackson, Siberón, Weiss) -0-2 (DeGrace, Powers).

14. Trustee DeGrace introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Web Construction Corp in the amount of \$3,631,000 as requested by VP Facilities Management Muscarella. (**Funding Source**: Capital Project and Operating)

Vice Chair Weiss requested a motion to consider this item. Trustee Powers moved the motion; seconded by Trustee Jackson. Motion carried 6-0.

President's Report

Student Highlights

Capitalizing on the opportunity to enhance marketing, last week, the College launched a campaign primarily focused on recruiting students for Fall and which will also impact summer enrollment. He shared a screen shot for a fresh look at a print ad of students appearing reflective, with the tag line "The future of education is here" also in Spanish, Creole, and Chinese, to underscore the emphasis on inclusivity as they look forward to our high-quality learning opportunities.

Enrollment

- Summer 2020
 - Summer enrollment is better than projected.
 - He thanked the individuals and areas who are reinventing approaches to engage students and are working so diligently to help increase access to education.
- Fall 2020
 - We continue to see gains almost daily.
 - Individuals and areas have taken bold steps to question past practices and processes in order to enhance what is working well, change what could be more effective, and bring forward new strategies. He appreciates all their work to help positively and equitably impact access, completion, and post-completion success.

Budget

- On June 8, 2020, the Nassau County Legislature's Rules Committee unanimously voted to approve the Board-approved budget, which is the initial step in the County Legislature approving the College's Board-approved budget. We will meet with the full Legislature later in the month and look forward to their continued support.
- In regards to State appropriations, we are continuing to wait and receive information regarding the impact of the \$10B State budget reduction on the College's budget. As a reminder, based on preliminary information, the assumption is that there will be a:
 - \$3 – \$5M reduction to our current Fiscal Year 20 budget
 - \$3.8 – \$19M reduction to our Fiscal Year 21 budget

Farewell and New Beginnings

- Dr. Valerie Collins, Interim Vice President for Academic Affairs, has been with the College since 2016. Having joined during a time of extreme need, she provided critical leadership and greatly contributed to ensuring the College maintained accreditation. Dr. Collins' positive contributions are very much valued. He asked that all join in thanking her for her service, as she is participating in her last Board meeting before soon retiring from the College.
- He announced that Dr. Mark Lausch has been appointed Vice President for Academic Affairs following a comprehensive open search. The Vice President for Academic Affairs provides direction and oversight for all academic programs, academic planning, and other related academic initiatives. Dr. Lausch will assume the position effective July 1, 2020. He thanked the search committee for its work.

Closing

This is the last regularly scheduled Board of Trustees meeting for the 2019-2020 Academic Year, which, neither to minimize nor oversimplify, has been quite a year, one that for him started with a learning journey and is ending with a reflection on several moments of magnitude.

- Some of these events are unprecedented, referring to the COVID-19 Global Pandemic that has ravaged our County, State, country, and the world. This unforgiving virus, which is still with us, upended our way of life and will undoubtedly change how we will interact socially for the near and potentially foreseeable future.
- Thanking our Board again for its approval of Policy 2300 (Anti-Discrimination), he cited another significant experience represented by the recent and deeply saddening instances of racial injustice, fueled by societal constructs, which are experienced by Black people in our communities. The tragic deaths of Ahmaud Arbery, Breonna Taylor, and George Floyd force us to digest disconcerting dimensions of our society and implore us to come together as a community and a country to eradicate racism, injustice, and violence in efforts to seek social justice fostered by diversity, equity, and inclusion.
- Recognizing that many people in our community are in pain right now, he acknowledged that he too is in pain. His thoughts and messages are not meant to provide the “right” response for everybody because of the complexities and diversities each of us individually embraces, represents, and lives. Our realities are different, which means we often experience society differently. Bearing this in mind, it is his role to uphold our firm beliefs as an institution. There are injustices that we, as members of Nassau Community College, can address. We can continue to listen with empathy and to act with compassion in order to address inequities and to do our best to provide a learning and development opportunity and a workplace that is equitable and just. There will be challenges and opportunities on this path, and, together, we can confront them to advance. He encouraged all to think about the short and powerful sentiment from the Rev. Dr. Martin Luther King, Jr., “Injustice anywhere is a threat to justice everywhere”, and to seriously consider what role you will play in the future of our society.

He thanked everyone for all the good work we do to help students and to advance NCC. He remains extremely happy and humbled to serve as President of Nassau Community College.

Vice Chair Weiss thanked President Williams for his sentiments, reiterating that our collective goal is to be just and to ensure equitable access to education.

Speaker

Donna Hope, NCCFT Interim President, introduced herself in honor of her predecessor Frank Frisenda. Contract negotiations have resumed, and the NCCFT looks forward to arriving at a successful agreement and to working together to help advance our College. The NCCFT and campus leaders welcomed the invitation from VP Muscarella and President Williams to include their voices at the table of the Reinventing Task Force. The planning process is very complex, and the NCCFT understands the challenges of this undertaking. She has participated in numerous calls with many schools throughout Long Island and the State, and in her experience, NCC is far more advanced in thoughtful planning and safety preparation than any other institutions with which she has been in communication. She wished all safety and good health during these challenging times.

Trustee Siberón noted the hardships, and in particular the food insecurity, the pandemic has brought upon many residents in our communities. He thanked Trustee Durso, whose union members donated enough food to feed 50 local families.

Trustee Weiss added that The NEST, with the support of the NCC Foundation and other private contributors, has been active in helping provide food and shelter to students and their families in need. She asked us all to remain diligent about staying safe and healthy, and to be particularly cognizant of continuing to honor social distancing and to use masks and gloves, as businesses and services reopen.

Vice Chair Weiss announced the next Capital and Finance BOT Committee meeting is scheduled for Tuesday, September 8, 2020 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.

Vice Chair Weiss requested a motion to adjourn the meeting. Trustee Durso moved the motion; seconded by Trustee DeGrace. Motion carried 6-0.

Meeting adjourned at 7:42 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward W. Powers". The signature is fluid and cursive, with a prominent initial "E" and "P".

Edward W. Powers
Secretary