

**MINUTES OF THE EXECUTIVE COMMITTEE MEETING OF THE
BOARD OF HIGHER EDUCATION OF THE CITY OF NEW YORK**

HELD

JULY 6, 1972

**AT THE BOARD HEADQUARTERS BUILDING
535 EAST 80 STREET—BOROUGH OF MANHATTAN**

The Chairman called the meeting to order at 3:15 p.m.

There were present:

**Luis Quero-Chiesa, Chairman
David I. Ashe
Herbert Berman
Minneola P. Ingersoll**

**Robert Ross Johnson
Jack I. Poses
Barbara A. Thacher**

N. Michael Carfora, Secretary of the Board

**Chancellor Robert J. Kibbee
Deputy Chancellor Seymour C. Hyman
Vice-Chancellor J. Joseph Meng**

**Vice-Chancellor Frank Schultz
Mr. Alan R. Shark**

Upon motions duly made, seconded and carried, the following resolutions were adopted or action was taken as noted: (Calendar Nos. 1 through 7)

NO. 1. AFFIRMATIVE ACTION DEVELOPMENTS: The Chancellor presented the following report:

Yesterday, accompanied by Deputy Chancellor Seymour C. Hyman and Vice-Chancellor J. Joseph Meng, I met with J. Stanley Pottinger, Director of the Office for Civil Rights, and members of his staff at the Department of Health, Education and Welfare in Washington D.C. The purpose of the meeting was to resolve differences between the OCR and the Administration of the university with regard to CUNY's compliance with the provisions of Executive Orders 11246 and 11375.

Our meeting was arranged in response to Mr. Pottinger's letter to me of June 20, 1972 in which he requested certain data and access to university records. Failure of the university to provide OCR with the requested data and access would, according to that letter, generate "appropriate administrative proceedings" against CUNY which might terminate, suspend or cancel various existing federal contracts and bar the university from future federal contract eligibility.

At yesterday's meeting general agreement was reached on a method to provide the data requested by Mr. Pottinger that is satisfactory to the university and meets OCR's needs under the executive orders it is responsible for administering. The agreement protects and respects the university's policy of not maintaining personnel data by individual employee's name that could be used for the implementation of discriminatory policies based upon race, sex, age, ethnic origin or religion.

On the issue of OCR access to CUNY personnel records and files, yesterday's five-hour meeting did not produce agreement. A range of alternative solutions was discussed, none of which appeared to satisfy certain university objections to opening our files to outside agencies. Our objections are in part legal and in part philosophical.

We will continue, however, to seek common ground on this issue since it is, and has been, the objective of both OCR and CUNY to achieve a university policy of equal employment opportunity with regard to recruitment, hiring, promotion and tenure. We will shortly receive from OCR a transcript of yesterday's meeting which we will review with our counsel and members of the Board of Higher Education. Soon afterward we will draft a formal response to OCR's request. During this period we have been assured by Mr. Pottinger that no administrative proceedings will be initiated against the university that would jeopardize CUNY's federal contract status or eligibility.

NO. 2. COMMITTEE ON CAMPUS PLANNING AND DEVELOPMENT: RESOLVED, That the following actions approved by the Committee on Campus Planning and Development be adopted:

A. PHASE I—DESIGN AND CONSTRUCTION PROGRAM—KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That the Board approve the contract document called Supplementary Agreement modifying contract No. 212254 for the Preparation of Complete Drawings (Preliminary and Final), Specifications and Estimates of Cost and the Checking of Shop Drawings for Capital Project No. HN-190 for Phase I of the Design and Construction Program for Kingsborough Community College, Manhattan Beach, Brooklyn, New York; such contract being between the Board of Higher Education and Katz, Waisman, Weber, Strauss and Warner, Burns, Toan and Lunde, Associated Architects. The fee for the additional services as provided in the Supplementary Agreement, additional site development and landscaping, based on an estimated cost of construction as of June 1972 in the amount of \$1,862,315, shall be the sum of sixty-five thousand seven hundred and forty dollars (\$65,740.) chargeable to Capital Project HN-190; and be it further

RESOLVED, That the Director of the Budget be requested to approve the supplementary agreement mentioned above at an expenditure for fee of \$65,740., chargeable to Capital Project No. HN-190, and further that review of preliminary plans and cost estimates be waived provided that the preliminary estimate of cost is within the above mentioned estimated construction cost and that the initial approval included an appropriate cost limitation for the construction work; and be it further

RESOLVED, That the State University be, and is hereby, requested as appropriate, to establish or adjust the applicable Capital Budget Project to implement the action approved by this resolution.

EXPLANATION: Three contracts for the employment of three Architectural firms for the Design of Phase I Construction program were approved on or about September 9, 1970 and included a number of buildings and associated site work and landscape development.

The contract awarded to one of the project architects was for complete design of a portion of the Physical Education Facility and the schematic design of the balance of the Facility. The scope of the basic contract was increased to include complete design of this Facility so that the construction of the Physical Education Facility would be accomplished under Phase I of the program rather than have a portion deferred to Phase II of the program.

The Master Plan, upon which the scope of work of the various project architects was predicated, included site and landscape development of only areas concerned with the originally defined Phase I of the program. Since the complete design of the Physical Education Facility has now been in fact included in the Phase I portion of the program it is appropriate to include the addition of ten (10) acres of site development and landscaping immediately surrounding the Physical Education Facility which total area includes other areas which will tie into the present temporary campus with relation also to the sea wall reconstruction.

It should be noted that the Phase I portion of the program was designed for 3,000 FTED students and the College has now in fact approximately 4,600 FTED students and further at the completion of Phase II of the program the enrollment will be approximately 6,000 FTED students.

It is therefore essential, in order to adequately use and service all of the existing and new facilities as they become available, that we provide at this time for additional parking, fire access routes, lighting, etc. in order to satisfy all requirements of all concerned City agencies.

It is for these reasons that we request approval of the above outlined resolution.

B. RENTAL OF SPACE—HUNTER COLLEGE GRAMMAR SCHOOL:

RESOLVED, That the Board approve the rental of 50,600 square feet of space at 425 East 53 Street for use by the Hunter College Grammar School; and be it further

RESOLVED, That the Department of Real Estate be requested to execute a lease for the aforementioned space.

EXPLANATION: The Hunter College Elementary School is currently operating in temporary quarters located at 329 East 63 Street. This building is not suitable as a permanent location for the Hunter College Grammar School and a new location was sought.

The Department of Real Estate has negotiated a lease for the subject premises for a ten year period at an annual rental cost of \$184,690 (\$3.65/S.F.). The lease further provides that the landlord will provide heat, hot water, air-conditioning, interior and exterior repairs, maintenance of all mechanical equipment, and will paint the subject premises prior to tenant's occupancy and again five years thereafter. Also included in the subject rental is certain useable equipment, including air-conditioning units, which is to be left behind by the United Nations School, the former occupant of this facility.

Tenant will be responsible for the provision of all cleaning and electricity and for escalation in real estate taxes above the base year 1972/73.

C. RENEWAL OF DORMITORY SPACE—UNIVERSITY SEEK PROGRAM:

RESOLVED, That the Board approve the renewal of dormitory space at Long Island University, 190 Willoughby Street for use by the University SEEK Program; and be it further

RESOLVED, That the Department of Real Estate be requested to execute a lease for the aforementioned space.

EXPLANATION: The Board of Higher Education presently rents dormitory space for 172 SEEK students at the above location under a lease agreement that expires June 28, 1972. Approximately 132 of these students will be attending summer session classes at The City University of New York and will require the use of the subject dormitory facilities.

The department of Real Estate has negotiated a lease for 44 rooms (132 students) at the subject premises for a period commencing June 29, 1972 and expiring August 31, 1972. The total cost of the rental amounts to \$27,456 for the entire nine week period or \$23.11 per student per week. This compares to a cost of \$21.00 per student per week under the previous lease.

The lease further provides that Long Island University will include as part of the rent payment: room, health plan, linen and use of facilities.

D. RENTAL OF SPACE—JOHN JAY COLLEGE:

RESOLVED, That the Board approve the rental of 202,921 square feet of space at 444 West 56 Street, Manhattan, for use by John Jay College; and be it further

RESOLVED, That the Department of Real Estate be requested to execute a lease for the aforementioned space.

EXPLANATION: The former Miles Shoe Building located at 445 West 59 Street is currently being renovated to serve as the permanent site of the John Jay College of Criminal Justice.

Due to anticipated enrollment expansion an additional facility in close proximity to this location was sought. Such a building has been located at 444 West 56 Street.

The subject space will provide thirty-two classrooms, two laboratories, thirteen seminar rooms, ninety faculty offices, ninety-five administrative offices, one library, lounges for students, faculty and staff, a day care center, an auditorium, a gymnasium and other auxiliary facilities.

The Department of Real Estate has negotiated a net lease for the subject premises for a fifteen year period at an annual rental cost of \$1,217,526 (\$6.00/S.F.). The lease further provides that the landlord will renovate the premises in accordance with plans and specifications prepared by the college and approved by the Dean for Campus Planning and Development. The cost of these renovations is estimated at \$2,650,000.

Landlord will provide cleaning, heating, air-conditioning, hot and cold water and maintain air-conditioning systems, roof and exterior portions of the building. Landlord will be responsible for the payment of base real estate taxes and water and sewer charges. Landlord will also remove snow, ice and litter from yards abutting the subject premises and will paint the subject premises in five year cycles. Landlord will have the subject space available for tenant's use during the hours of 8:00 a.m. to 11:00 p.m. Monday through Thursday, and 8:00 a.m. to 6:00 p.m. on Friday.

Tenant will provide all electricity at his own expense and will also be responsible for the cost of overtime (after 6:00 p.m.) heating, ventilating, and air-conditioning. The cost of this overtime service will be determined on the basis of periodic surveys of usage conducted by a professional engineering firm approved by tenant. Tenant is also responsible for its proportionate share of escalation in real estate taxes over the base year 1972/73 and escalation in labor costs over the base year 1971.

E. RENTAL OF SPACE—MEDGAR EVERS COLLEGE:

RESOLVED, That the Board approve the rental of 45,000 square feet of space at 402 Eastern Parkway for use by Medgar Evers College; and be it further

RESOLVED, That the Department of Real Estate be requested to execute a lease for the aforementioned space.

EXPLANATION: The space will provide the college with nine classrooms, two laboratories, one lecture hall, a library with reading room, one music room, one art studio, one study center, one open instructional area, a temporary computer center, one faculty lounge, one student lounge, sixteen faculty offices and other auxiliary space.

The Department of Real Estate has negotiated a lease for the subject premises for a ten year period at an annual rental cost of \$209,250 (\$4.65/S.F.). The lease further provides that the landlord will renovate the premises in accordance with plans and specifications prepared by the College and approved by the Dean for Campus Planning and Development. Furthermore, the landlord will provide heating, air-conditioning, hot and cold water, and maintenance contracts for the elevators, air-conditioning system and lighting system. Landlord will also provide cleaning and a full time maintenance man for the subject premises.

Tenant is responsible for electricity and for the payment of escalation in real estate taxes above the base year 1972/73. Also, tenant has the option to rent an additional 5,000 square feet of space in the subject building at the rate of \$4.65/S.F. when such space is vacated by its present tenant, the Wingate Preparatory School.

F. RENEWAL OF LEASE—BRONX COMMUNITY COLLEGE:

RESOLVED, That the Board approve the renewal of a lease for 4,750 square feet of space at 4725 Park Avenue, the Bronx, for use by Bronx Community College; and be it further

RESOLVED, That the Department of Real Estate be requested to execute a lease for the aforementioned space.

EXPLANATION: The Department of Real Estate has negotiated a renewal of the lease for the subject premises for a period from August 1, 1972 to July 31, 1973, at an annual rental cost of \$9,225 (\$1.94/S.F.). This compares to last year's annual rental cost of \$9,563 (\$2.01/S.F.).

G. PURCHASE OF EQUIPMENT—HOSTOS COMMUNITY COLLEGE:

RESOLVED, That the Board of Higher Education approve the purchase on behalf of Hostos Community College from Capital Budget HN-192 of a 1403 Model 7 printer and printer adapter in the approximate amount of \$46,000; and be it further

RESOLVED, That the Director of the Budget be requested to approve such expenditure, chargeable to Capital Budget HN-192; and be it further

RESOLVED, That the Board of Trustees of the State University be requested to establish a Capital Budget in the amount of \$46,000 to cover this purchase.

EXPLANATION: Hostos Community College has acquired an IBM 1500 computer formerly located at Brooklyn College. This computer requires a line printer of moderate speed to be useable for administrative computing. The proposed acquisition would equip it with a 600 lpm printer, enabling this computer to replace a computer which is being leased.

H. PURCHASE OF EQUIPMENT—THE CITY COLLEGE:

RESOLVED, That the Board of Higher Education approve the purchase on behalf of The City College from Capital Budget HN-191 of an IBM 360/20 Remote Job Entry Terminal in the approximate amount of \$54,600; and be it further

RESOLVED, That the Director of the Budget be requested to approve such expenditure, chargeable to Capital Budget HN-191.

EXPLANATION: The City College has a long term requirement for an RJE Terminal and a multi-function card processing machine. It has been leased a model 20 for this purpose and accumulated rental credits toward its purchase. Since it will be needed indefinitely, it is more economical to purchase this equipment than to continue to lease it.

I. PURCHASE OF EQUIPMENT—JOHN JAY COLLEGE:

RESOLVED, That the Board of Higher Education approve the purchase on behalf of John Jay College from Capital Budget HN-191 of an IBM 2922 Remote Job Entry System in the approximate amount of \$57,000; and be it further

RESOLVED, That the Director of the Budget be requested to approve such expenditure, chargeable to Capital Budget HN-191.

EXPLANATION: John Jay College of Criminal Justice lacks computer facilities required for administrative support functions including student registration and record processing. It has been sharing the facility at Baruch College, which is feasible while Baruch College has available resources and the campuses are adjacent. In preparation for a move to the uptown campus and as a consequence of the reduced availability of computing resources at Baruch College, it is necessary to equip John Jay with equipment allowing it access to other computer facilities in the system with available computer time. The system requested will provide them with this capability.

J. EXTENSION AND RENOVATION OF EXISTING HEATING SYSTEM—KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That Kingsborough Community College be authorized to advertise for, receive and open bids, and award a contract to the lowest responsible bidder for extension and renovation of existing heating system at an estimated cost of \$10,000 chargeable to Budget Code 408.

EXPLANATION: Building "A", an Administrative Building on the Kingsborough Campus, is of pre-World War II vintage and was partially renovated for College use upon occupancy. The heating system has been periodically extended as required by the increased use of the building. This contract will enable the College to replace space heaters with normal office type radiation in recently renovated and occupied office spaces and to improve the condensation return system, which is not presently functioning as required.

K. REPAIRS AND RENOVATIONS—KINGSBOROUGH COMMUNITY COLLEGE:

RESOLVED, That Kingsborough Community College be authorized to advertise for, receive and open bids and award a contract to the lowest responsible bidder for repair and renovation of the Building "A" roof and related work, at an estimated cost of \$20,000, chargeable to Budget Code 408.

EXPLANATION: Building "A", an Administrative Building on the Kingsborough Campus, is of pre-World War II vintage and was partially renovated for College use upon occupancy. Renovations, however, did not include any work on the roof, which has continued to deteriorate, causing many leaks and substantial additional deterioration of the structure.

NO. 3. PRINTING AND DELIVERING 1972 MASTER PLAN: RESOLVED, That the Board approve the contract documents for printing and delivering to the Central Office the 1972 Master Plan, at an estimated cost of \$9,000, chargeable to Code 42-2000-100-01-73, Supplies-general. (See also Cal. No. 2(b), 4/20/64, B.H.E.)

NO. 4. DESIGNATION OF ASSISTANT DEAN OF THE FACULTY—QUEENS COLLEGE: RESOLVED, That William W. Sales, Jr. be designated Assistant Dean of the Faculty effective July 1, 1972, with compensation at the rate of \$2,000 per annum for his services as Assistant Dean, in addition to his academic salary as Assistant Professor of Special Programs, subject to financial ability.

NO. 5. INCREASE IN CONTRACT ESTIMATED COST—QUEENS COLLEGE: RESOLVED, That the Board of Higher Education approve an increased estimated cost from \$5,100. to \$6,200., the amount of the low bid received, for labor and material necessary and required for installation of a New Stage Floor in the Colden Auditorium, Music and Speech Building, Queens College, the \$1,100. increase to be charged to Queens College Colden Center Fees. (See also B.H.E. Cal. No. 7, 5/22/72, for original approval).

NO. 6. EXTENSION OF TIME—QUEENS COLLEGE: RESOLVED, That the Board of Higher Education approve a third extension of time on contract number 211298 with LaFata Construction Corporation for labor and material for Miscellaneous Alterations and Addition to FitzGerald Gymnasium, Queens College, Project No. Q-CC-268(b), Contract 1—General Construction, from July 10, 1971 to and including August 31, 1972, a total of 418 days and a combined total of 599 consecutive calendar days for the first, second and third extensions. (Problem in one of the roofing details and the ultimate resolution thereof caused delay). (See also B.H.E. Cal. No. 7(b), 6/21/71)

NO. 7. AMENDMENT TO ADMINISTRATIVE REORGANIZATION—BROOKLYN COLLEGE: RESOLVED, That the Administrative Reorganization of Brooklyn College, approved by the Board on November 22, 1971, Cal. No. 6 (Addendum Item G.1.11) be amended as follows:

- (1) The title of Assistant Vice President be included in the organization of Brooklyn College.
- (2) The position of Dean of the Faculties be eliminated from the organization of Brooklyn College.
- (3) The following designation of Assistant Vice President be approved, subject to financial ability:

NAME	EFFECTIVE DATE	ANNUAL COMPENSATION*
Harry G. Albaum	9/1/72—8/31/73	\$5,000

*In addition to regular academic salary

EXPLANATION: As Assistant Vice President Dr. Albaum will have administrative responsibilities throughout the college in both academic and non-academic areas including institutional research, all-college evaluation of academic programs, labor relations, and such other duties as may be assigned.

Upon motion duly made, seconded and carried, the meeting adjourned at 4:30 p.m.

N. MICHAEL CARFORA
Secretary of the Board