Minutes of the Meeting of the Board of Trustees  
Friday, April 8, 2016, at 9:30 a.m.  
205 East 42nd Street, Room 725  
New York, New York 10017

Trustees Present:  
Hon. Philip Berry, Acting Chairman  
Hon. Marcella Maxwell  
Hon. Brian Obergfell  
Hon. Michael Walsh  

Jeffrey Beal, Team Leader, Division of Budget Higher Education Unit*  
Edward Moore, Acting Section Head, Division of the Budget Higher Education Unit*

In Attendance:  
Judith Bergtraum, Executive Director, CUCF  
Frederick Schaffer, General Counsel, CUNY  
John Antonelli, Deputy Executive Director, CUCF  
Gustavo Ordonez, Chief of Staff, FPCM  
Robert Lemieux, Executive Director, Department of Design, Construction & Management, CUNY  
Gwen Perlman, Director, Capital Budget, CUNY  
Vincent Green, Director of Vendor Integrity and Investigations, CUNY  
Jeffrey Weinstein, Director of Procurement Services, CUNY  
Daniel Rothbaum, Controller, CUCF  
Michael Stabulas, Managing Director, Managing Director, Downstate Operations, DASNY  
Nancy Nichols, Special Assistant to the Fund  

* Designee for Robert F. Mujica, Jr., Executive Director of NYS Division of the Budget in Albany, attending via videoconference.

At 9:32 a.m., Acting Chairman Berry called the meeting to order, noting there was a quorum.

Action Items

1. Approval of the Minutes of the November 19, 2015 Meeting of the Fund (No. 2216).

Acting Chairman Berry asked if there was any discussion or amendments to be made to the minutes. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the minutes were approved.
2. **Resolution of the City University Construction Fund Authorizing the Design, Purchase and Installation of Corrective Fire Alarm System Work and Related Work in the Science Building at York College (No. 2217).**

Acting Chairman Berry called upon Executive Director Judith Bergtraum to explain the item. Ms. Bergtraum stated that the resolutions being brought before the Trustees today were all good illustrations of how critical maintenance projects are achieved. The fire alarm systems used in the buildings originally complied with state codes; now they are being brought up to the code requirements of New York City.

Mr. Lemieux stated that, as many of CUNY’s 300 buildings are more than 50 years old, all the CUNY campuses are examining their fire alarm systems. Prior to 1998 DASNY performed renovations to CUNY’s buildings according to state code. About 12 years ago CUNY agreed to comply with the City code. As the City has upgraded their codes, some of the buildings are not in compliance. Also, whenever renovation work is performed in a building, it must meet current fire code regulations.

Acting Chairman Berry asked if there questions about the resolution. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

(At 9:40 a.m. Vincent Green, Director of Vendor Investigations and Integrity, joined the meeting)

3. **Resolution of the City University Construction Fund Authorizing a Contract to Provide Design Services for the Replacement of Air Handling Units and Control System at the Hunter College North Building, 695 Park Avenue, New York, NY 10021 (No. 2218).**

Acting Chairman Berry asked if there were other systems that will have to be put in place in addition to the one in question.

Mr. Lemieux said once the design of the air handling units is complete, there will be a purchase and installation contract that will come before the Board, in order to get it installed. Ms. Bergtraum said that the roof on the building is also being replaced at the same time. Hunter College doesn’t have a large campus, so the North Building has a lot of programs in it, which puts a strain on the operations.

Acting Chairman Berry asked if there was any discussion regarding the item. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

4. **Resolution of the City University Construction Fund Authorizing a Contract to Purchase Equipment and Provide Installation Services for Chiller Replacement at the Hunter College Campus School, 71 East 94th Street, New York, NY, 10138 (No. 2219).**
Acting Chairman Berry called upon Executive Director Bergtraum, who requested Mr. Lemieux to respond. Mr. Lemieux stated that this is a different college building, one for the campus high school, located on East 94th Street, between Park and Madison Avenues. This contract will be for a straight design and install equipment for air handling.

Ms. Bergtraum stated that this item is critical, as it will make sure the school has air conditioning for this summer’s classes. Mr. Berry asked how long installation of this equipment would take, and Mr. Lemieux replied about two months.

Acting Chairman Berry asked if there was any discussion regarding the item. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.


Acting Chairman Berry called upon John Antonelli for the explanation of the item. Mr. Antonelli said that this satisfies a requirement under 2879 of the Public Authorities Law. This essentially is a once-a–year report that looks at all existing projects and contracts currently in place and managed by the fund, and represents the portion that was expended during the year.

Ms. Bergtraum explained that in looking at the list, the largest amounts represent large buildings that are being done – NY City Tech, the Brooklyn PAC building, and purchase of a floor at Cornell Weil. Mr. Antonelli went on to say $50 million was spent on the condominium, $46 on NYC Tech (a very large project), and about another $12 million spent for the Performing Arts Center in Brooklyn.

Acting Chairman Berry asked if there was any discussion regarding the item. There being none, Mr. Berry entertained a motion that this item be approved. On motion duly made and seconded, the resolution was approved.

REPORTS

Acting Chairman’s Report

Acting Chairman Berry reported that at the previous meeting he requested volunteers to serve on two committees – a Governance Committee and an Audit Committee – that needed to be formed. He explained three people would need to serve on each one, and he would take part on both committees. The committees’ work is not expected to be laborious and could be performed prior to a regular Construction Fund Board meeting. The next CUCF Board meeting is scheduled for May 5th, and the business of these committees could be concluded at that time. Volunteers were solicited.
General Counsel Frederick Schaffer explained that these committees are required by law. Trustee Walsh volunteered to take part on the governance committee. Mr. Berry said that Trustee Obergfell has asked to be a part of the audit committee; he requested one other Trustee to volunteer. Trustee Maxwell indicated she would serve where she was needed.

Mr. Berry thanked the Trustees for their oversight and good work on the Board.

Mr. Berry then reminded the Trustees that the next meeting of the Board will be held on May 5, 2016. The subsequent meeting scheduled for June 17 will be rescheduled shortly.

Executive Director’s Report

Acting Chairman Berry called on Executive Director Bergtraum for her report.

Executive Director Bergtraum gave a presentation entitled CUNY Capital Budget – Capital Projects Updates, showing images of the major projects that have been completed in 2015, as well as diagrams of projects that are currently under construction. She also reported on the State Budget results.

Ms. Bergtraum stated the budget was released on April 1. She thanked Gwen Perlman, the Director of Capital Budget at CUNY, and her staff, for performing the daunting task of collecting information from all of the schools, prioritizing and assembling it. CUNY’s capital request this year was $6.8 billion, with the State of Good Repair effort the most important aspect. Also important are the completion of ongoing projects that are partially funded; construction of new facilities; technology upgrades; focus on energy conservation; and the fourth-year allocation of the CUNY2020 Initiative.

$297 million of new funding was received. Senior college critical maintenance funds are $143 million; at the community colleges the state matched the city’s funding, allocating $62 million. The NY-CUNY 2020 grant, in its 4th year, is $55 million. Ms. Bergtraum stated she estimated that most of this money will be spent on critical maintenance projects. Reappropriations amount to $2.5 billion.

Completed projects include the Medgar Evers Library; the ASRC and CCNY Center for Discovery and Innovation at City College; and Brooklyn College’s Fierstein Graduate Film School at Steiner Studios. Projects under construction include the New Academic Complex at NYC College of Technology; Phase I of Queensborough’s Cafeteria and Kitchen Renovation; Tow Performing Arts Center at Brooklyn College; the Center 3 Façade Replacement at LaGuardia CC; and renovations to the Field Building, Phase 1-A at Baruch College.

Acting Chairman Berry thanked Ms. Bergtraum for providing the presentation, giving life to the discussion of CUNY’s construction efforts. He suggested that at some future meeting she and her staff present an impact analysis on the effect of CUNY construction on the communities where they build, like those at Medgar Evers and NY CCT.
**Report of the General Counsel**

Acting Chairman Berry called upon General Counsel Frederick Schaffer, who said back in 2009 the State Legislature passed and the Governor signed the Public Authorities Reform Act, requiring Trustees and Directors of public authorities and public benefit corporations to acknowledge their fiduciary duties and responsibilities. The state developed a form which is used for this purpose. (Since the Mission statement was not attached to the information circulated at the table, Mr. Schaffer said he would send the complete document around via email.) Mr. Schaffer reminded the Trustees to sign the form and scan it back to him.

**Report of the Dormitory Authority**

Acting Chairman Berry requested that Michael Stabulas present his report. Mr. Stabulas said he would talk about work going on at City College, most particularly in the ASRC complex. Some of the original design contained unprogrammed space; this is being built out. In addition, City College has about 23 active projects, worth about $157 million, mostly in infrastructure improvements and rehabilitation, such as building envelope projects, like the new curtain wall at Aaron Davis, and new roofs on 5 buildings. One very significant project, in its final phase, is the exterior restoration of Shepard Hall, which has taken 20 years, mostly because it is a terra cotta building and very expensive. There are 6 buildings undergoing interior renovation at CCNY, many in the original neo-gothic type building, reclaiming space that wasn’t used.

Mr. Stabulas reported they are also doing an IT infrastructure upgrade at Marshak and Steinman, the engineering building; they are also replacing all the HVAC units and fume hoods systems in the Marshak building, a very involved and difficult project. They are in Phase 1 of that $25 million dollar endeavor that will be conducted while the building is occupied.

Chairman Berry thanked Mr. Stabulas for his report.

He asked if there were further questions or items to discuss. There being none, he requested a motion to adjourn. On motion duly made and seconded, the meeting of the Board of Trustees was adjourned at 10:25 a.m.