Minutes of the Meeting of the Board of Trustees
Wednesday, October 17, 2018, at 9:30 a.m.
205 East 42nd Street, Room 0770
New York, New York 10017

Trustees Present:
Hon. Philip Berry, Acting Chairman
Hon. Brian Obergfell
Hon. Victor Pichardo
Hon. Michael Walsh

Edward Moore, Section Head, Division of Budget Higher Education Unit*

In Attendance:
Judith Bergtraum, Executive Director, CUCF
Robert Lemieux, Executive Director, Department of Design, Construction & Management, CUNY
John Antonelli, Deputy Executive Director, CUCF
Lisa Bova-Hiatt, General Counsel, City University Construction Fund
Gwen Perlman, Director, Capital Budget, CUNY
Sharon Russell, Director, Contracts
Meghan Moore-Wilk, Director, Space Planning
Gustavo Ordóñez, Chief of Staff, FPCM
Daniel Rothbaum, Controller, CUCF
Michael Stabulas, 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 9:30 a.m., Acting Chairman Berry called the meeting to order, noting there was a quorum and thanking the attendees for their participation.

Action Items

1. Approval of the Minutes of the June 27, 2018 Meeting of the Fund (No. 2273).

Acting Chairman Berry asked if there were any discussion or amendments 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.

Acting Chairman Berry read the resolution and called upon the Trustee Obergfell, the Chair of the Audit Committee, for his report on the Committee meeting.

Chairman Obergfell reported that the Audit Committee of the Construction Fund met at 9:00 a.m. that morning with Jonathan Zuckerman, Partner, and Samuel Botta, Senior Manager, of the auditing firm of PKF O’Connor Davies. Following an informative presentation on the firm and the findings of the audit by Mr. Zuckerman and Mr. Botta, the Committee approved the resolution on the Construction Fund financial statements.

Acting Chairman Berry commended the presentation given by the Partner and Senior Manager, saying it was complete and clear, and expressed his appreciation to the Audit Committee Chair. He called for a motion to approve the resolution. On motion made and duly seconded, the resolution was approved.


Acting Chairman Berry read the resolution, and called upon Executive Director to report on the item.

Ms. Bergtraum explained that over the last 4 years the University has met with the NYC Fire Department to arrive at a list of 60 buildings that need renovation of their fire alarm systems. This is the third group of 20 buildings that has been brought before the Fund. Ms. Bergtraum stated the full list of 60 buildings will be posted with this resolution when it is put online. Acting Chairman Berry asked if this will mark the completion of all the upgrades. Ms. Bergtraum stated this will complete the list of buildings that were discussed with the NYC Fire Department four years ago. Mr. Lemieux said the Fire Department continually upgrades its regulations. As CUNY does its renovations on campuses, upgrades are performed.

Executive Director Bergtraum stated that CUNY committed to the Fire Department 4 years ago to do this. Acting Chairman Berry asked if our upgrades were at different levels than the State and City has. Mr. Lemieux responded that CUNY meets NY City code, which is the toughest in the country. Prior to 14 years ago, CUNY met state code, and many CUNY buildings were built to State code, so as modifications are done, the buildings are updated to meet the City code.

Executive Director Bergtraum stated that one reason for that was that Fire protection is offered by the City. That was the rationale of following a more stringent requirement.
Acting Chairman Berry asked if there were any further questions or comments. There being none, he called for a motion to approve. On motion made and duly seconded, the resolution was approved.

4. Resolution of the City University Construction Fund Authorizing the Acquisition of Property on Behalf of Queensborough Community College (No. 2276).

Chairman Berry read the resolution and called upon Executive Director Bergtraum for her explanation.

Ms. Bergtraum stated that Queensborough Community College is in a largely residential neighborhood that was originally a golf course. The College wants and needs to expand, but there is no open land available. Ms. Bergtraum explained that they had tried to lease space for Queensborough, but the spaces available were anywhere from two to four miles away.

The property concerned in this resolution was originally a Jewish Center; it is an 11,000 square foot, three-level building being sold. The second floor contains classrooms, the first floor has a large 375 seat auditorium, office space and bathrooms, and there is a basement assembly space for 400 people. Its elevator makes it ADA compliant. The overall condition of the building is very good; some work will be needed – ADA mostly – and fire alarms will need to be upgraded. A Mayoral Waiver will be needed, as it was zoned as a religious institution.

The building will house the ASAP program. One of the most successful programs at CUNY, ASAP is being replicated at universities all over the country, as it significantly increases the graduation rate at community colleges. Trustee Walsh asked how many students it serves. Ms. Bergtraum said the projection for two years from now is 25,000 in the whole CUNY program. At this school, eventually, Ms. Bergtraum said ASAP will be available to every student. ASAP started with a small cohort at Bronx Community College; this year every student at BCC is in the program. The program provides a mentor, support, a Metrocard, help with books, academic and personal counselling, such as guidance with filling out their FAFSA forms correctly and taking advantage of any programs that help support tuition. Mentors offer life skills, especially important to first-generation college students. It also helps with the transfer from a community college to a four-year college. Eventually, the model is for every community college to provide this encouragement.

Recent approval by the CUNY Board will assure the receipt of City money to expand Hostos Community College and BMCC’s ASAP programs. The Queensborough addition project is replaced with this request to purchase new space for ASAP.

Mr. Lemieux explained the building holds about 400 at any one time. But during the year about 10,000 freshmen will likely pass through the building.
Meghan Moore-Wilk, Director of Space Planning, explained the students are scheduled for what is called “intrusive” counselling – regularly-scheduled required sessions with mentors, which helps keep students on track with financial and academic goals, to prevent them from falling behind. Ms. Bergtraum affirmed that having space to meet one-on-one is key to the success of the program.

Mr. Pichardo asked who the local elected representatives were. Ms. Bergtraum said it was Barry Grodenchik. In addition to the Mayor’s Office, the Borough President and the City Councilman put up funding for the ASAP program, so the local elected officials are very supportive of this school.

Mr. Pichardo asked when the religious institution building was constructed. Mr. Ordonez said the site was completely renovated after a gas explosion fire in 2007. Mr. Pichardo asked whether some type of ADA compliance work would be needed. Mr. Ordoñez stated that when the building was renovated post-fire, they renovated the elevator, but the bathrooms are not compliant.

Trustee Walsh asked about the appraisal, and the additional cost of the commission for the purchase of the building. Mr. Ordoñez replied that the seller’s price was supported by factoring the price of two adjacent homes, as the land used for the Center was originally used for two residential homes, and the size of the building. The appraisal was $3.975 million. The market for this site is small – CUNY and other religious organizations. The asking price was slightly higher than what was settled on. Mr. Walsh asked if the $5 million amount includes the renovation costs. Mr. Ordoñez said that was the cost of the purchase and design. Construction costs will depend on other variables, like whether a new fire alarm sprinkler system is required, for instance.

Mr. Walsh asked if they disclosed the costs of their attorney or transfer taxes. Mr. Ordoñez said no.

Acting Chairman Berry asked if there was a revision to the resolution. Mr. Ordoñez said yes, that there was an error in the explanation. There was a program named in the statement about other programs using the building, and it was deleted.

Acting Chairman Berry said he would entertain a motion to vote on this modification. He asked if there were questions about the modification. There being none, he called for a motion for the modification to be approved. On motion duly made and seconded, the modification to the resolution was approved.

Mr. Berry then asked the Board if there were further questions about the resolution. There being none, he entertained a motion that the appointment be approved. On motion duly made and seconded, the resolution was approved.

**Acting Chairman’s Report**

Mr. Berry said that the next CUCF Board meeting will occur on December 6, at 2:00 p.m. in the CUNY Central Office at 205 East 42nd Street, 7th Floor.
A list of CUCF Board meeting dates for 2019 would be determined and circulated in the next week.

He called on Executive Director Bergtraum for her report.

**Executive Director’s Report**

Ms. Bergtraum stated that she asked Meghan Moore-Wilk to assemble a list of recently completed projects, with images, to present to the Board. At the next CUCF Board meeting in December, Ms. Bergtraum said she would give a presentation on the smaller projects, dealing with infrastructure.

At Brooklyn College, the new Performing Arts Center, the ribbon cutting will occur at 5:30 p.m. on Thursday, November 1. Ms. Bergtraum told the Board to let her know if they had not received an invitation.

At New York City College of Technology is a 350,000 square feet building with a magnificent exterior, and an equally fine interior. Should anyone wish a tour of the new NYCCT building, she said she could get them one. The ribbon-cutting has not yet been scheduled. Both buildings were built by the Construction Fund.

Ms. Bergtraum called upon Meghan Moore-Wilk, who gave a slide show presentation of these newly completed CUCF projects at CUNY. The Brooklyn PAC building replaced the Gershwin Wing of their Performing Arts building, with significantly expanded performing arts rehearsal and performance space. A $10 million donation from Leonard and Claire Tow, both graduates of Brooklyn College, started off the funding initiative. Total project cost was $100 million.

At New York City Tech the new Academic Building, a 350,000 gross square foot structure that cost $410 million, contains a large barrel-shaped auditorium that seats 1,000 people and has a spectacular interior. The building also contains classrooms, laboratories, a dental program, student space, an 800 seat gym, administrative offices, student services, computer labs – it’s an all-in-one multi-purpose building for the campus. Ms. Bergtraum interjected that the building has a floor for dental, a floor for radiology, vision care, all state of the art technology. Ms. Bergtraum said if anyone wanted a tour to let her office know. Mr. Lemieux said the gym fills the basement, with a basketball court. The building replaced the old Klitgord building, a one-story building that contained an auditorium and a gym but nothing else. It’s an 8-story building, and very contextual with the rest of the neighborhood. Its placement at the junction of Tillary and Jay Streets makes it particularly dramatic to see when you exit the Brooklyn Bridge or the Manhattan Bridge. Heat and hot water pipes had to be routed over the subway that runs underneath the building, a major undertaking, and one that also made construction more complicated and expensive.

Ms. Moore-Wilk continued, saying that the dental clinic also serves the public. And students graduating from the programs go right to work.
Acting Chairman Berry asked if the building was being used. Ms. Moore-Wilk said the programs are in the building and it opened in September.

Mr. Berry asked why the ribbon-cutting was delayed until after occupancy. Ms. Bergtraum explained that there are elected officials whose schedules must be accommodated. He replied that the building has brought a lot of important focus to the neighborhood that he would like to see recognized. Mr. Berry thanked Ms. Bergtraum for her presentation about the new buildings, and said he would like to formally ask her to speak with the CUNY Board Chairperson William Thompson and President Hotzler to expedite a ribbon cutting ceremony.

**Report of the Dormitory Authority**

Mr. Berry called upon Michael Stabulas for his report. Mr. Stabulas reported that since the last CUCF Board meeting DASNY has initiated 39 new projects. There are infrastructure projects at 14-15 campuses, a couple of which are CUNY-Wide initiatives.

Robert Lemieux stated, in reference to these projects, that they are not for new buildings, but are several more, smaller projects. Whether it is a small project or a new building, in terms of staff time associated with advancing those projects, it’s almost the same. More, smaller projects often means a heavier workload on existing staff than building a couple of new buildings for the same amount of money.

Acting Chairman Berry asked if there were any further questions or comments. There being none, he wished everyone a Happy Thanksgiving, and called for a motion to adjourn. On motion duly made and seconded, the meeting of the Board of Trustees was adjourned at 10:30 a.m.