

UNIVERSITY OF MASSACHUSETTS

VOTES

BOARD OF TRUSTEES

NOVEMBER 16, 2005

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Academic and Student Affairs – November 15, 2005

ACTION ITEM #a,1: Appointments to Named Professorships, UMASS Amherst,
UMASS Worcester

DATE: BOT - November 16, 2005

DOC. & VOTE I.D. #: T05-058

VOTED: To concur with the President in the appointment of Lynne Baker as a Distinguished Professor at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Vincent Rotello to the Charles A. Goessmann Chair in Chemistry at the University of Massachusetts Amherst.

And further, To concur with the President in the appointment of Phillip Zamore as the Gretchen Stone Cook Chair in Biomedical Science at the University of Massachusetts Worcester.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – November 9, 2005

ACTION ITEM #b,1: Establishment of the Walter Raleigh Amesbury, Jr. and Cecile Dudley Amesbury Professorship for Teaching and Research of the Polish Language, Literature and Culture, UMASS Amherst

DATE: BoT - November 16, 2005

DOC. & VOTE I.D. #: T05-063

VOTED: In accordance with sections 1A(e) and 11 of Chapter 75 of the General Laws, to establish an endowed professorship in Polish Language, Literature and Culture at the University of Massachusetts Amherst to be know as the Walter Raleigh Amesbury, Jr. and Cecile Dudley Amesbury Professorship for Teaching and Research of the Polish Language, Literature and Culture.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – November 9, 2005

ACTION ITEM #b,2: Fiscal Year 2005 University Financial Report

DATE: BoT - November 16, 2005

DOC. & VOTE I.D. #: T05-064

VOTED: The FY 2005 University Financial Report, as contained in Doc. T05-064.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – November 9, 2005

ACTION ITEM #b,3: Resolution of the Board of Trustees of the University of Massachusetts Authorizing Requests for Initiation by University of Massachusetts Building Authority of Projects in FY2006-2010 Capital Plan Update and Other Projects

DATE: BoT - November 16, 2005

DOC. & VOTE I.D. #: T05-065

VOTED: WHEREAS, the University of Massachusetts Building Authority (the "Building Authority") was created by Chapter 773 of the Acts of 1960 of The Commonwealth of Massachusetts (the "Commonwealth") (said Chapter 773, as amended, being hereinafter called the "Enabling Act") as a body politic and corporate and a public instrumentality of the Commonwealth;

WHEREAS, the Building Authority was created by the Enabling Act for the general purposes of aiding and contributing to the performance of the education and other purposes of the University of Massachusetts (the "University") by providing dormitories, dining commons and other buildings and structures for the use of the University, its students, staff and their dependents and for lease to or use by an organization or association, in any form, of students or others the activities of which are a part of the activities at the University and subject to regulation by the Board of Trustees of the University (the "Trustees"), a research, foundation or other research organization the operation of which in conjunction with the University is approved by the Trustees or any other entity the activities of which are approved by the Trustees as furthering the purposes of the University;

WHEREAS, in the judgment of the Trustees it is in the best interests of the University, its students, staff and their dependents and said organizations that the Building Authority initiate the projects described below;

NOW, THEREFORE,

1. Each of the President and the Vice President for Management and Fiscal Affairs and Treasurer of the University, acting alone, be and each, acting alone, hereby is authorized in the name and on behalf of the Trustees to make a written request of the Building Authority that the Building Authority initiate:
 - (a) Any or all of the projects set forth in the University of Massachusetts Fiscal Year 2006 to 2010 Five Year Capital Plan Update Doc. T05-050 dated August 2005; and
 - (b) Any other construction of or respecting or renovation, repair, remodeling or other work in or upon or respecting any building or structure owned or used by the University or the Building Authority, or the provision, installation, renovation, repair or remodeling of or other work upon or respecting any furnishings, furniture, machinery, equipment or facilities with respect to any such building or structure, all as may be requested of the Building Authority in writing from time to time by either, acting alone, of the President or the Vice President for Management and Fiscal Affairs and Treasurer of the University, the making of any such request being hereby authorized.
2. The projects to be initiated by the Building Authority in accordance with any request authorized to be made in Section 1 of this resolution may in the discretion of the Building Authority be undertaken separately or together for financing purposes.
3. The President of the University, the Vice President for Management and Fiscal Affairs and Treasurer of the University and all other officers of the University, each of the foregoing acting alone, be and each, acting alone, is hereby authorized to request the Commissioner of Administration to approve in writing the undertaking by the Building Authority of the projects a request for which is hereby authorized and to do such other things and to take such other action as to the officer or officers so acting shall, as conclusively evidenced by their taking the action hereby authorized, deem necessary or desirable to be done or taken to carry into effect the matters hereby authorized.
4. This vote is intended as the expression of the University's "official intent" under Section 1.150-2(d)(1) and (e) of the regulations promulgated by the United States Treasury Department under the Internal Revenue Code of 1986, as amended, toward the issuance of revenue bonds under the Enabling Act or other applicable legislation for financing and refinancing the cost of any or all of the projects described in paragraph 1(a) or paragraph 1(b) above.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – November 9, 2005

ACTION ITEM #b,4: Resolution of the Board of Trustees of the University of Massachusetts Authorizing Requests for Initiation of Projects by University of Massachusetts Building Authority

DATE: BoT - November 16, 2005

DOC. & VOTE I.D. #: T05-066

VOTED: WHEREAS, the University of Massachusetts Building Authority (the "Building Authority") was created by Chapter 773 of the Acts of 1960 of The Commonwealth of Massachusetts (the "Commonwealth") (said Chapter 773, as amended, being hereinafter called the "Enabling Act") as a body politic and corporate and a public instrumentality of the Commonwealth;

WHEREAS, the Building Authority was created by the Enabling Act for the general purposes of aiding and contributing to the performance of the education and other purposes of the University of Massachusetts (the "University") by providing dormitories, dining commons and other buildings and structures for the use of the University, its students, staff and their dependents and for lease to or use by an organization or association, in any form, of students or others the activities of which are a part of the activities at the University and subject to regulation by the Board of Trustees of the University (the "Trustees"), a research, foundation or other research organization the operation of which in conjunction with the University is approved by the Trustees or any other entity the activities of which are approved by the Trustees as furthering the purposes of the University;

WHEREAS, in the judgment of the Trustees it is in the best interests of the University, its students, staff and their dependents and said organizations that the Building Authority initiate the projects described below;

NOW, THEREFORE,

1. Each of the President and the Vice President for Management and Fiscal Affairs and Treasurer of the University, acting alone, be and each, acting alone, hereby is authorized in the name and on behalf

of the Trustees to make a written request of the Building Authority that the Building Authority initiate:

(a) Any or all of the projects listed on Exhibit A attached hereto; and

(b) Any other construction of or respecting or renovation, repair, remodeling or other work in or upon or respecting any building or structure owned or used by the University or the Building Authority, or the provision, installation, renovation, repair or remodeling of or other work upon or respecting any furnishings, furniture, machinery, equipment or facilities with respect to any such building or structure, all as may be requested of the Building Authority in writing from time to time by either, acting alone, of the President or the Vice President for Management and Fiscal Affairs and Treasurer of the University, the making of any such request being hereby authorized.

2. The projects to be initiated by the Building Authority in accordance with any request authorized to be made in Section 1 of this resolution may in the discretion of the Building Authority be undertaken separately or together for financing purposes.
3. The President of the University, the Vice President for Management and Fiscal Affairs and Treasurer of the University and all other officers of the University, each of the foregoing acting alone, be and each, acting alone, is hereby authorized to request the Commissioner of Administration to approve in writing the undertaking by the Building Authority of the projects a request for which is hereby authorized and to do such other things and to take such other action as to the officer or officers so acting shall, as conclusively evidenced by their taking the action hereby authorized, deem necessary or desirable to be done or taken to carry into effect the matters hereby authorized.
4. This vote is intended as the expression of the University's "official intent" under Section 1.150-2(d)(1) and (e) of the regulations promulgated by the United States Treasury Department under the Internal Revenue Code of 1986, as amended, toward the issuance of revenue bonds under the Enabling Act or other applicable legislation for financing and refinancing the cost of any or all of the projects described in paragraph 1(a) or paragraph 1(b) above.

EXHIBIT A

The following projects at the Lowell campus of the University:

1. renovation and equipping of Southwick Lounge and Cafeteria;
2. construction and equipping of a “clean room” in Olney Hall to provide a multi-use facility for interdisciplinary science and technology research;
3. expansion and equipping of the animal room in Olsen Hall;
4. other renovation and equipping of Olsen Hall to update research facilities and accommodate research faculty;
5. renovation and equipping of Olsen Hall to accommodate the relocation of certain information technology offices to Olsen Hall;
6. renovation and equipping of Dugan Hall with respect to student, employee, administrative, financial and human resource services;
7. construction and equipping of a studio for radio station WUML, the Lowell campus radio station;
8. renovation and equipping of the Institute for Plastics Innovation building to provide offices and other space for the use of the Commercial Ventures and Intellectual Property office of the Lowell campus;
9. assessment of the present network infrastructure and modification of the existing or construction and equipping of a new network infrastructure;
10. new flooring for the Costello Gymnasium;
11. replacement of ceilings in Mahoney Hall;
12. improvements to the mechanical systems in the South Campus dining hall; and
13. studies, designs and cost estimates for renovations to Coburn Hall.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – November 9, 2005

ACTION ITEM #b,5: Amendments to the Land and Facilities Use Planning Policy

DATE: BoT - November 16, 2005

DOC. & VOTE I.D. #: T93-122, as amended

VOTED: To approve the changes to the Land and Facilities Use Planning Policy as outlined in Doc. T93-122, as amended.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – November 9, 2005

ACTION ITEM #b,6: Fiscal Year 2007 State Budget Request and Funding Formula Authorization

DATE: BoT - November 16, 2005

DOC. & VOTE I.D. #: T05-067

VOTED: To authorize the President to prepare and submit the Fiscal Year 2007 State Appropriation request consistent with the University's funding formula pursuant to Section 7 of Chapter 75 and Section 15B of Chapter 15A of the General Laws.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: **Audit – November 9, 2005**

ACTION ITEM #c,1-3: **Audit Reports**

DATE: **BoT - November 16, 2005**

DOC. & VOTE I.D. #: **T05-055, T05-068, T05-069**

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- VOTED:**
1. Time and Attendance Limited Scope Review, UMASS Amherst, UMASS Boston (Doc. T05-055)
 2. Report on Federal Financial Assistance Programs in Accordance with OMB Circular A-133 (Doc. T05-068)
 3. Report on Massachusetts Student Financial Assistance Programs in Accordance with the Massachusetts Office of Student Financial Assistance (OSFA)
(Doc. T05-069)

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSI. #VI, a: **Department of Defense**

DATE: **BoT - November 16, 2005**

DOC. & VOTE I.D. #: **T05-070**

VOTED: WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the Chairman of the Board, the President, the Secretary, and the designated Facility Security Officer meet the personnel clearance requirements established for a contractor's facility clearance; and

WHEREAS, said Department of Defense Regulations permit the exclusion from the personnel clearance requirements of certain members of the Board of Trustees and other officers, provided that this action is recorded in the minutes.

NOW, THEREFORE, BE IT DECLARED that the Chairman of the Board, the President, the Secretary and the designated Facility Security Officer at the present time do possess, or will be processed for, the required security clearance; and

BE IT RESOLVED that in the future, when any individual enters upon any duties as Chairman of the Board, the President, the Secretary or the designated Facility Security Officer, such individual shall immediately make application for the required security clearance; and

BE IT RESOLVED FURTHER that the following members of the Board of Trustees and other officers shall not have, and can be effectively excluded from access to all classified information in the possession of the corporation and do not occupy positions that would enable them to affect adversely policies or practices in the performance of classified contracts for the Department of Defense or the User Agencies of its Industrial Security Program:

<u>NAME</u>	<u>TITLE</u>
John A. Armstrong	Trustee
Dennis G. Austin	Trustee
Lawrence F. Boyle	Trustee
Matthew E. Carlin	Trustee
Christine K. Cassel	Trustee

John A. DiBiaggio	Trustee
Edward A. Dubilo	Trustee
Fritz Hyppolite	Trustee
William F. Kennedy	Trustee
Ruben J. King-Shaw, Jr.	Trustee
Craig Longo	Trustee
Valerie Louis	Trustee
Robert M. Mahoney	Trustee
Heather Makrez	Trustee
Robert McCarthy	Trustee
William T. O'Shea	Trustee
Janet D. Pearl	Trustee
Stacey Rainey	Trustee
Robert K. Sheridan	Trustee
Brian Silver	Trustee
Karl E. White	Trustee

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

OTHER BUSL. #VI, c: **Worcester City Campus Corporation**

DATE: **BoT - November 16, 2005**

DOC. & VOTE I.D. #: **T05-071**

VOTED: The University of Massachusetts Board of Trustees sitting as the sole member of the Worcester City Campus Corporation, reappoints as members of the Board of Directors:

Robert Sheridan
Karl White
Thomas Chmura
James Julian
Stephen Lenhardt
David MacKenzie
Thomas Manning
Richard Stanton

And, Appointing James Karam to replace Grace Fey.