

**UNIVERSITY OF MASSACHUSETTS**

**VOTES**

**BOARD OF TRUSTEES**

**NOVEMBER 10, 2004**

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Academic and Student Affairs – October 19, 2004

**SUBJECT:** Appointment to Named Professorship, UMASS  
Amherst

**DATE:** BoT - November 10, 2004

**DOC. & VOTE I.D. #:** T04-068

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**VOTED:** To concur with the President in the appointment of James F. Kurose as a Distinguished Professor at the University of Massachusetts Amherst.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – October 21, 2004

SUBJECT: FY2004 University Financial Report

DATE: November 10, 2004 - BoT

DOC. & VOTE I.D. #: T04-076

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VOTED: The FY2004 University Financial Report, as contained in  
Doc. T04-076.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Administration and Finance – October 21, 2004

**SUBJECT:** Fiscal Year 2005 University Operating Budget

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-077

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**VOTED:** To approve the FY2005 University Operating Budget, as contained in Doc. T04-077.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Administration and Finance – October 21, 2004

**SUBJECT:** Fiscal Year 2006 State Budget Request Authorization

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-078

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**VOTED:** To authorize the President to prepare and submit the Fiscal Year 2006 State Appropriation request.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Administration and Finance – October 21, 2004

**SUBJECT:** Designation of Surplus Land, UMASS Lowell

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-079

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**VOTED:** Notwithstanding paragraph three of the section titled “Disposition of Real Property” of Trustee Policy T93-122, as amended, the Board of Trustees hereby declares the land, with all building thereon for the parcels commonly known as Building #12, the Hub Hosiery Building and Building #14, the McQuade Building, of the Lawrence Mills properties in the city of Lowell surplus.

The land, with all buildings thereon, commonly known as the McQuade Building (or Building #14), the Hub Hosiery Building (or Building #12), and the Agent’s House (or Administration Building) and located on the northly side of Perkins Street in Lowell, Middlesex County, Massachusetts, being shown as Parcels 4 and 6 on a plan entitled “Approval not Required (“ANR”) plan, Lawrence Mills Redevelopment, Lowell, Massachusetts” prepared by Harry R. Feldman, Inc., Land Surveyors, Boston, MA dated August 14, 2003.

In addition, the parking surface site located to the southwest of Parcels 4 and 6 on said plan and bounded by Perkins St. to the north, Cabot St. to the west, Suffolk St to the east and Hall St to the south is declared surplus.

Provided further, that the parking surface surplus shall be contingent upon the continued parking access for the University until such time as a new parking structure is complete.

The exact boundaries of the parcel shall be determined by the commissioner of the division of capital asset management in consultation with the Lowell campus and the University.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – October 21, 2004

SUBJECT: Designation of Surplus Land, UMASS Lowell

DATE: November 10, 2004 - BoT

DOC. & VOTE I.D. #: T04-080

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VOTED: Pursuant to the requirements of chapter 344 of the Acts of 2004 and notwithstanding paragraph three of the section titled "Disposition of Real Property" of Trustee Policy T93-122, as amended, the Board of Trustees hereby declares the parcel of property located at 600 Suffolk Street in the city of Lowell surplus. Said parcel of property is more fully described in section 2 of said chapter 344 as follows:

The land, with all buildings thereon, commonly known as 600 Suffolk Street and located on the northerly side of Suffolk Street in Lowell, Middlesex County, Massachusetts, being shown as Phase I as shown on a "Compiled Plan of Land In Lowell, Mass. For Wannalancit office and Technology Center Realty Trust", Scale 1"=20', dated March 25, 1983, by Robert M. Gill Associates, Inc., Civil Engineers & Surveyors, Lowell, Mass. (the "Plan"), which Plan is recorded with the Middlesex North District Registry of Deeds at Plan Book 140, Plan 1, containing 43,369 square feet of land, more or less; and Lot C on Plan entitled "Compiled Plan of Land In Lowell, Mass.", dated September 13, 1982, Scale 111=40', prepared by Robert M. Gill & Associates, Inc., Lowell, Massachusetts, which Plan is recorded with the Middlesex north district registry of deeds at Plan Book 137, Plan 121, containing 90,487 square feet of land, more or less.

The exact boundaries of the parcel shall be determined by the commissioner of the Division of Capital Asset Management in consultation with the Lowell campus and the University.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Administration and Finance – October 21, 2004

**SUBJECT:** Establishment of the Development Assistance Trust Fund, UMASS Lowell

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-081

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**VOTED:** To establish, in accordance with the provisions of Chapter 75 of the General Laws, and pursuant to Chapter 344 of the Acts of 2004, the Development Assistance Trust Fund for the Lowell campus. The purposes of the trust fund shall include, but not be limited to, the promotion of a sound and stable economy and a highly trained workforce, the encouragement of interdisciplinary research and partnerships with community and industry, the support and improvement of the health of individuals and communities, and the spurring of the job creation necessary for the maintenance and growth of the technology and manufacturing sectors of the Massachusetts economy. All revenues and expenditures relative to the development, operation, repair, and maintenance of the St. Joseph's hospital property, as determined in said chapter 344, shall be deposited in and expended from the trust fund.

The Chancellor shall produce a report annually on the activities supported by the trust fund and shall submit copies of the report to the president, the office of the inspector general, the chairmen of the house and senate committees on ways and means, and the chairmen of the joint committee on state administration.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Administration and Finance – October 21, 2004

**SUBJECT:** Authorization for Intercampus Loan

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-082

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**VOTED:** To authorize the President of the University to approve a loan from the Worcester campus, in the amount of \$3,000,000, to the President's Office University Information Technology Services division for the purposes of financing the Intercampus Student Information System (ISIS) Project of the Boston, Dartmouth and Lowell campuses. Said loan shall be repaid by the Boston, Dartmouth and Lowell campuses on such terms, with the interest rate to be established by the University Treasurer on January 1, 2005 and shall be documented by fully executed line of credit agreements.

To authorize the President to do such other things and to take such other action as he deems necessary or desirable to carry into effect the matters herein authorized.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Administration and Finance – October 21, 2004

**SUBJECT:** Lease of Space, University of Massachusetts Building Authority

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-074

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**VOTED:** BE IT RESOLVED:

WHEREAS, University of Massachusetts Building Authority (the “Authority”) is authorized by Chapter 773 of the Acts of 1960, as amended, among other things, (a)to provide dormitories, dining commons and other buildings and structures for the use of the University of Massachusetts (the “University”), its students, staff and their dependents and certain organizations related to the University, (b)upon written request made by authority of the Board of Trustees (the “Trustees”) of the University, to acquire, add to, alter, enlarge, reconstruct, remodel and do other work in or upon or respecting any building or structure and (c)to provide and install furnishings, furniture, machinery, equipment and facilities in or for or related to any such building or structure; and

WHEREAS, the Authority is further authorized by said Chapter 773 to acquire real and personal property by lease, purchase or otherwise; and

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 Authority carry out the undertakings described below;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The President of the University be and he hereby is authorized in the name and on behalf of the Trustees to make a written request of the Authority that the Authority undertake the following:

(a) Through lease, purchase or otherwise, to obtain premises in the City of Boston suitable for the offices of the President and the Board of Trustees of the University, and for such ancillary and auxiliary purposes, including offices for the University of Massachusetts Foundation, Inc. and facilities for meetings and dining, as the President may determine and to lease or sublease, as applicable, to the University and the University of Massachusetts Foundation, Inc. the portion of such premises to be used by the respective entity; and

(b) To alter, reconstruct, remodel and do other work in or upon or respecting such premises and to provide and install furnishings, furniture, machinery, equipment and facilities in or for such premises, all to make such premises suitable for their intended purposes.

2. The President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University, be and they are and each acting singly is authorized and directed to do such other things and to take such other action as 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 undertakings of the Authority hereby authorized.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**COMMITTEE:** Administration and Finance – October 21, 2004

**SUBJECT:** Renovation of Space for Use by the University, the University of Massachusetts Foundation Inc. and the University of Massachusetts Building Authority

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-085

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**VOTED:** BE IT RESOLVED:

WHEREAS, University of Massachusetts Building Authority (the “Authority”) is authorized by Chapter 773 of the Acts of 1960, as amended, among other things, to provide dormitories, dining commons and other buildings and structures for the use of the University of Massachusetts (the “University”), its students, staff and their dependents and certain organizations related to the University, to alter, enlarge, reconstruct, remodel and do other work in or upon or respecting any building or structure, to provide and install furnishings, furniture, machinery, equipment and facilities in or for or related to any such building or structure and to initiate projects for such purposes upon written request made by authority of the Board of Trustees (the “Trustees”) of the University; and

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 Authority initiate the projects described below;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The President of the University be and he hereby is authorized in the name and on behalf of the Trustees to make a written request of the Authority that the Authority initiate the following projects:

(a) to alter, reconstruct, remodel and do other work in or upon or respecting premises obtained by the Authority through lease, purchase or otherwise in the City of Boston for use as the offices of the President and the Board of Trustees of the University, and for such ancillary and auxiliary purposes, including offices for the University of Massachusetts Foundation, Inc. and facilities for meetings and dining, as the President may determine, and to provide and install furnishings, furniture, machinery, equipment and facilities in or for such premises, all to make such premises suitable for their intended purposes; and

(b) in addition to or in lieu of said project, any other construction of or renovation, repair, remodeling or other work in or upon or respecting any building or structure owned, leased or used by the University or the 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 Authority in writing from time to time by the President of the University, by the Vice President for Management and Fiscal Affairs and Treasurer of the University, or the Executive Vice President of the University, the making of such request being hereby authorized.

2. The President of the University and the Vice President for Management and Fiscal Affairs and Treasurer of the University be and they are and each acting singly is authorized and directed to do such other things and to take such other action as 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 undertaking by the Authority of the projects hereby authorized

3. This vote is intended as the expression of the University's "official intent" under Section 1.150-2(d) (1) and (e) of the regulation promulgated by the United States Treasury Department under the Internal Revenue Code of 1986, as amended, toward the issuance of revenue bonds under said Chapter 773 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 – October 21, 2004

**SUBJECT:** Public Higher Education Endowment Incentive Program Implementation Policy

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-083

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**VOTED:** The Board of Trustees hereby delegates to the President the authority to develop guidelines and procedures for the implementation of the Public Higher Education Endowment Incentive program established under section 15E of Chapter 15A of the General Laws, as amended by Chapter 352 of the Acts of 2004, for the University of Massachusetts including its five campuses.

Subject to annual state appropriation the Commonwealth's contributions shall match private contributions equal to \$1 for every \$2 privately contributed to the Board of Trustees or the University of Massachusetts Foundation, Inc. and added to the University's endowment.

Private contributions to the endowment for purposes of this program shall be limited to donations to an endowment for academic purposes including, but not limited to, scholarships, endowed chairs and contributions in support of academic facility construction and maintenance approved by the Board of Trustees.

The program shall be administered by the Foundation in accordance with procedures established by the President and filed with the House and Senate Committees on Ways and Means by no later than December 15, 2004.

Such procedures shall include a method to certify to the house and senate committees on ways and means the actual amount received in private contributions to the endowment in each fiscal year. Such procedures shall also include safeguards for protecting the anonymity of donors who indicate their desire not to be identified.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

COMMITTEE: Administration and Finance – October 21, 2004

SUBJECT: Fiscal Year 2004 Treasurer's Report

DATE: November 10, 2004 - BoT

DOC. & VOTE I.D. #: T04-084

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VOTED: The FY2004 Treasurer's Report, as contained in Doc. T04-084.

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**SUBJECT:** Chancellor's Search Committee

**DATE:** November 10, 2004 - BoT

**DOC. & VOTE I.D. #:** T04-086

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**VOTED:** To concur with the Chair of the Board in the naming of the Search Committee at the University of Massachusetts at Boston:

**UMASS Boston Search Members:**

Stacey R. Rainey, Chair

Kristine Alster

Mark Atkins

Dennis Austin

Lawrence Boyle

Robert Chen

Patricia Flaherty

Terrence Gomes

Robert Johnson

Thomas Keady

Michael Keating

William Kennedy

Winston Langley

Regina McCarthy

Denise Patmon

Tuan Pham

Robert Sheridan

Mary Stevenson

Manickam Sugumaran

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

**SUBJECT:** Department of Defense Exclusion List

**DATE:** November 10, 2004

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**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:

<b><u>NAME</u></b>	<b><u>TITLE</u></b>
John A. Armstrong	Trustee
Dennis G. Austin	Trustee
Lawrence F. Boyle	Trustee
Christine K. Cassel	Trustee
John A. DiBiaggio	Trustee
Edward A. Dúbilo	Trustee
Julius Erving	Trustee
Grace K. Fey	Trustee
James J. Karam	Trustee
William F. Kennedy	Trustee
Jeffrey King	Trustee
Michael E. Labrecque	Trustee
Robert M. Mahoney	Trustee
Robert McCarthy	Trustee
Matthew J. Moseley	Trustee
Matthew V. Murphy	Trustee
William T. O'Shea	Trustee
Janet D. Pearl	Trustee
Tuan Pham	Trustee
Stacey R. Rainey	Trustee
Robert K. Sheridan	Trustee
Karl E. White	Trustee