

MINUTES OF MEETING

C. COMMITTEE ON FINANCE AND PHYSICAL PLANT

VOLUME 225

March 17, 2006

A meeting of the Committee on Finance and Physical Plant was held in the Urban Room of the Omni William Penn Hotel in Pittsburgh, Pennsylvania, on March 17, 2006 at 10:20 a.m.

The following Committee members were present: Baldwin and Spanier (ex officio), Metzgar (chair), Strumpf (vice chair), Broadhurst, Brosius, Clemens, Hintz, Shaffer, and Suhey. Also present were Trustees Alexander, Chaiken, J. Conti, Garban, Henning, Huber, Jones, Junker, Peechatka, and Riley; Trustees Emeriti Robinson, Schaffer, Springer, and B. Wolff.

Present by invitation were faculty representative Blasko, Floros, and Myers; student representatives Borawski, and Streaker; staff members Ammerman, Babe, DiEugenio, Dolbin, Erickson, Hillemeier, Kirsch, MacCarthy, Mahon, Pangborn, Pell, Romano, Schultz, Steele, Stryker, Triponey, and Weidemann; and Mr. Courtney of McQuaide Blasko.

Chair Metzgar called the meeting to order:

The Committee on Finance and Physical Plant voted to recommend to the Board of Trustees approval of the following resolutions which were included in the Meeting Agenda:

1. RESOLVED, That the Officers of the University are authorized to grant a right-of-way and easement to Ferguson Township to construct roadway intersection improvements and relocate overhead utility lines.
2. RESOLVED, That the Officers of the University are authorized to grant a right-of-way to PPL Electric Utilities Corporation to install and maintain electrical lines and a communication system comprised of a utility pole and mounted siren.
3. RESOLVED, That the existing Community Arts Center at Penn State Altoona is named the "Misciagna Family Center for the Performing Arts."
4. RESOLVED, That the proposal whereby the University, through Penn State Hospitality Services, will contract with Morgan signs for one year of outdoor advertising at a cost not to exceed \$15,895 is approved.

FURTHER RESOLVED, That the proposal whereby the University, through Penn State Hospitality Services, will contract with The Barash Group for a half-page advertisement in each monthly publication of the *Town & Gown Magazine*, for advertising in the *Town & Gown Gift Guide* and the *Town & Gown Dining Guide*, as well as advertising in the Football and Basketball Annuals at an annual cost not to exceed \$13,000 is approved.

FURTHER RESOLVED, That the proposal whereby the University through Penn State Hospitality Services, will contract with The Barash Group for the production and placement of television advertising at an annual cost not to exceed \$45,000 is approved.

FURTHER RESOLVED, That the proposal whereby the University through Penn State Hospitality Services, will contract with The Barash Group for the design, creation, maintenance, and other marketing services through the normal course of business at an annual cost not to exceed \$45,000 is approved.

FURTHER RESOLVED, That the proposal whereby the University, through the Penn State Office of Health Promotion and Education, will contract with The Barash Group and Centre Area Transportation Authority (CATA) for three bus cards in each of the 75 CATA busses from July 1, 2006 through June 30, 2007 at a cost not to exceed \$11,000 is approved.

FURTHER RESOLVED, That the proposal whereby the University, through The Center for Performing Arts, contract with The Barash Group to purchase various advertisements in the *Town & Gown Magazine*, *Town & Student Magazine*, and *Arts Festival Guide*, as well as various visitors guides, maps, and other publications produced by Barash at a cost not to exceed \$22,575 is approved.

5. RESOLVED, That the conditions governing certain existing scholarships, fellowships, awards, and similar funds previously established at the University be revoked and that the Officers of the University are authorized to put into effect the revised regulations as summarized below and the same are approved: (See Appendix I)

A. Endowed Dean's Chair at Penn State Abington

Date Originally Established: April 14, 2004

Source and Nature of Revisions: The endowment name was changed to "Endowed Chancellor's Chair at Penn State Abington." All references to Dean in the guidelines were changed to Chancellor.

B. Brush Chair in Materials

Date Originally Established: April 19, 1989

Source and Nature of Revisions: The scope of the Chair was revised to allow more flexibility in the areas of research this can support. Previously, the scope of the Chair was restricted to a specific area of research. The endowment name was also changed to the "Harvey F. Brush Chair in the College of Engineering."

C. Jay M. DeFinis Award for Outstanding Student Leadership in the College of Earth and Mineral Sciences

Date Originally Established: October 21, 1999

Source and Nature of Revisions: The award name was changed to the "Jay M. and Katherine DeFinis Award for Outstanding Student Leadership in the College of Earth and Mineral Sciences."

D. Carol Clark Ford Staff Achievement Awards

Date Originally Established: August 7, 1990

Source and Nature of Revisions: The eligibility and purpose sections of the award were changed to include all staff members of the College of Health and Human Development.

E. Donald R.F. Harleman Endowment in Environmental Fluid Mechanics

Date Originally Established: February 27, 2002

Source and Nature of Revisions: The endowment name was changed to the "Donald R.F. Harleman Endowment in Water Resources Engineering." The eligibility and purpose sections were revised to match this change.

F. Human Development and Family Studies and Biobehavioral Health Doctoral Student Professional Development Endowment in the College of Health and Human Development

Date Originally Established: August 8, 1990

Source and Nature of Revisions: The endowment was revised to increase spending flexibility. The endowment selection procedure was also revised to allow the Dean of the College to select the recipient if the Department Heads are not in agreement.

G. Laura Davis Jones Award for Excellence in Bankruptcy Law

Date Originally Established: February 19, 1999

Source and Nature of Revisions: The amount of funds section of this award was revised to state that Young Conaway Stargatt & Taylor, LLP and Paragon Capital each contributed \$5,000 to the fund. Previously, only Young Conaway Stargatt & Taylor, LLP was mentioned as a contributor.

H. C.R. and Annette Pennoni Scholarship

Date Originally Established: September 13, 2000

Source and Nature of Revisions: The eligibility of this scholarship was revised to include undergraduate students from Northeastern Pennsylvania. Previously, eligibility was limited to students from Luzerne County.

I. William T. Sanders Publication Award in Anthropology

Date Originally Established: September 18, 1992

Source and Nature of Revisions: The award name was changed to the "William T. Sanders Graduate Award in Anthropology." The eligibility and purpose sections were revised to match this change.

J. Martin F. Scheinholtz College of Medicine Student Scholarship

Date Originally Established: August 5, 2002

Source and Nature of Revisions: The scholarship name was changed to Martin F. and Patricia A. Scheinholtz College of Medicine Student Scholarship.

K. Commonwealth Bank Academic Excellence Scholarship

Date Originally Established: April 17, 1987

Source and Nature of Revisions: The scholarship name was changed to the "Sovereign Bank Academic Excellence Scholarship for the Schreyer Honors College."

L. Robert and Myrtle Vierck Scholarship

Date Originally Established: September 29, 1988

Source and Nature of Revisions: This eligibility of this scholarship was changed to include graduate students in Engineering Science. Previously, eligibility was restricted to graduate students in Engineering Mechanics.

6. RESOLVED, That the Board of Trustees gratefully acknowledges the generous contributions of the many friends of the University in support of endowments, funds, and other major commitments as reported to the Committee on Finance and Physical Plant at its meeting of March 17, 2006.

FURTHER BE IT RESOLVED, That the Officers of the University are authorized to convey the Board's appreciation to these generous benefactors who provide opportunities for many students to receive a quality education.

The following items were presented for the information of the Trustees:

1. Naming of Rooms, Portions of Buildings and Plazas
 - A. Naming of the Holocaust Reading Room in Penn State Harrisburg's Library in honor of a gift from Morris and Linda Schwab. The plaque should read: "Schwab Family Holocaust Reading Room" in recognition of Morris and Linda Schwab.
 - B. Naming of the radio station booth in the Student Community Center at Penn State McKeesport for a contribution from James J. Weitzel, Jr. The plaque should read: "Radio Station Booth, A gift from Jay Weitzel '74".
 - C. Naming of the Educational Services unit at WPSU-TV, Room 120 in the Outreach Innovation Building, University Park, the "Froke Education Office", in recognition of Marlowe Froke's many years of service to the University including his tenure as the general manager of Penn State Public Broadcasting.
 - D. Naming of the tennis court facility at Penn State Harrisburg the "Hoverter Tennis Courts" in honor of a gift from Dr. Joe Cecere and Becky Cecere of The Hoverter Foundation.
2. Status of Department of General Services and University Major Construction Programs.
3. Investment Review of Endowment and Similar Funds as of December 31, 2005.
4. Summary and Designation of Gifts Received by the University during the period of July 1, 2005 through January 31, 2006.
5. Summary of new funds, including scholarships, fellowships, etc., accepted by the University during the period December 19, 2005 through February 17, 2006. All conform to established University policies and regulations.
 - (a) Herbert K. Anders Program Support Fund for Cooperative Extension
 - (b) Andrew & Gemma Arnoldi and Joseph & Anella Andreuzzi Memorial Trustee Scholarship
 - (c) Robert J. and Jennifer Banks Scholarship in the Smeal College of Business
 - (d) Barbara Long Beck Endowed Excellence Award
 - (e) Jim and Gerda Benson Trustee Scholarship
 - (f) William and Barbara Bickel Trustee Scholarship
 - (g) Melvin Blumberg Award for Excellence
 - (h) Barbara Bogue Enrichment Endowment for Women's Engineering
 - (i) Lauren E. and Samuel B. Bonsall Trustee Scholarship for the Schreyer Honors College
 - (j) Carl H. and Helen H. Chelius Memorial Women's Basketball Scholarship for the Head Manager
 - (k) Chester Cherwinski Scholarship
 - (l) Coldren Family Trustee Scholarship in the College of Engineering
 - (m) Hahnemann and Community Medical Center Nursing Alumni Trustee Scholarship
 - (n) Dwyer Graduate Fellowship in the Department of Mathematics
 - (o) Dean's Excellence Fund in Graduate Education
 - (p) James R. Gabriel Award
 - (q) Frank Gabron Trustee Scholarship
 - (r) John F. and Beverly G. Gallagher Trustee Scholarship at The Pennsylvania State University
 - (s) Golden Broom Award
 - (t) Helen and Robert Golder Scholarship in the College of Education

- (u) Robert and Helen Golder Scholarship in the College of the Liberal Arts
 - (v) Jerry and Jacquelyn Grossman Trustee Scholarship in the Smeal College of Business
 - (w) Jerry and Jackie Grossman Trustee Scholarship in the Smeal College of Business
 - (x) Susan Wynn and Cada R. Grove Trustee Matching Scholarship
 - (y) C. Webster and Joan J. Haag Family Football Scholarship
 - (z) John E. Hatch, Jr. Matching Trustee Scholarship at Penn State Altoona
 - (aa) Thomas and Cynthia Helm Hess Endowed Scholarship for Women's Soccer
 - (bb) Hiller Family Rock Ethics Institute Director's Fund
 - (cc) Huntingdon County Endowment for Penn State Public Broadcasting
 - (dd) International Student Distress Fund
 - (ee) Darin P. and Laura Taylor Johnson Trustee Scholarship in the College of Engineering
 - (ff) Beth Richards Kalenak Undergraduate Enhancement Fund in the College of the Liberal Arts
 - (gg) Edward M. Kasody Program Fund for the Harold and Inge Marcus Department of Industrial and Manufacturing Engineering
 - (hh) Helen Thomas Kennedy Fund for Creative Writing at Penn State Behrend
 - (ii) William Klein Memorial Trustee Scholarship in the College of the Liberal Arts
 - (jj) Bob and Unna Kukla Trustee Scholarship in the College of Earth and Mineral Sciences
 - (kk) Lehigh Valley Student Affairs Staff Annually Funded Scholarship
 - (ll) Sherri A. Lombra Undergraduate Enrichment Fund in the Smeal College of Business
 - (mm) Susan and Charles Martin Trustee Scholarship in Education
 - (nn) The Joseph and Maura McCann Optimum Hotel Brokerage Hospitality Management Trustee Scholarship
 - (oo) McCarthy Family Dean's Discretionary Endowment
 - (pp) William Merrill, Jr. Memorial Endowment in Plant Pathology
 - (qq) Mincemoyer Family Trustee Scholarship in the College of Agricultural Sciences
 - (rr) Joel N. Myers Weathervane Scholarship
 - (ss) Helen G. Oldham Scholarship
 - (tt) Procyk Family Trustee Scholarship
 - (uu) Tony and Norene Salvaggio Endowed Scholarship for Women's Volleyball
 - (vv) Richard J. and Dolores Bush Scuderi Scholarship
 - (ww) Dolores Bush Scuderi and Richard J. Scuderi Scholarship
 - (xx) Dr. Hari Mohan and Pushpa Srivastava Trustee Scholarship
 - (yy) Loren and Bernardine Stolp Family Trustee Scholarship in the College of Engineering
 - (zz) Tucker-Oishi Greco Roman Program / Freestyle Support Fund
 - (aaa) Ag Ventures Endowed Program Fund
 - (bbb) Volk and Marsh Crime, Law and Justice APG Endowment
 - (ccc) Eric Whitney Memorial Trustee Scholarship in the College of Earth and Mineral Sciences
 - (ddd) Barry L. and Rosemary Zoumas Trustee Scholarship
6. Summary of major commitments accepted by the University during the period November 1, 2005 through December 31, 2005.
- (a) Association of American Medical Colleges
 - (b) American Cancer Society
 - (c) American Diabetes Association, Inc.
 - (d) American Heart Association
 - (e) Carolyn A. Ausherman
 - (f) William R. Caroselli and Dusty E. Kirk
 - (g) Wallace H. Coulter Foundation
 - (h) Demag Plastics Group
 - (i) Terence J. and Jane Dwyer
 - (j) Robert E. Dye and Elaine Eyster Dye
 - (k) Scott Eckert Conservation Scholarship Memorial Fund

- (l) Naomi Anderson Fischer
- (m) Keith E. and Linda A. Forrest
- (n) Jake Gittlen Memorial Golf Tournament
- (o) Governor's Cup Charities
- (p) R. Jerry and Jacquelyn A. Grossman
- (q) Robert J. Hoelscher
- (r) J. Lloyd and Dorothy Foehr Huck
- (s) Stanley D. and Aileen Jacobs
- (t) Johnson & Johnson Consumer and Personal Products Worldwide
- (u) Spencer D. and Andrea L. Klein
- (v) Thomas Lord Charitable Trust
- (w) Charles H. and Susan Ingham Martin
- (x) Estate of Ruby S. Miller
- (y) National Properties, Inc.
- (z) Barbara R. Palmer
- (aa) Pew Charitable Trusts
- (bb) Jeffry M. and Barbara Rubin Picower
- (cc) Estate of Shirley Roth
- (dd) Richard J. and Dolores Bush Scuderi
- (ee) Estate of Mary Speck
- (ff) D. Bruce Stauffer
- (gg) Betty Ann Tobias
- (hh) John K. and Frances K. Tsui
- (ii) Unisys Corporation
- (jj) Vira I. Heinz Endowment
- (kk) Estate of George M. Wildasin
- (ll) Ruth Coates Wodock

The following report was presented at the meeting:

7. A photo report of selected construction projects was presented:
The Research and Economic Development Center at Penn State Erie, The Behrend College; the South Annex addition of The Milton S. Hershey Medical Center, housing oncology treatment facilities and at University Park, the Rec Hall Expansion, the Medlar Field at Lubrano Park, and the Blue Chip Bistro in the Business Building. (A visual presentation was made.)

Counsel Courtney reported that on January 26, 2006, the University filed a motion to dismiss certain portions of the complaint filed by former Penn State women's basketball player Jennifer Harris against Penn State, Tim Curley and Rene Portland. The briefing is near completion and will be concluded by the end of March; the motion should be ready for disposition by the court the beginning of April.

On February 22, 2006, University student Alfred Fluehr filed a complaint in Federal District Court for the Middle District of Pennsylvania claiming the University has certain policies that violate his constitutional rights to free speech, free association, free exercise of religion and due process. The University's response to the complaint is due on March 28.

The meeting adjourned at 10:50 a.m.