

**NIAGARA COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES
NOVEMBER 15, 2022**

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**A meeting of the Board of Trustees was held
on November 15, 2022 at 4:30 p.m.
in person, via ZOOM, and live streaming**

Board Members Present

Mr. Jason Cafarella, Chairperson
Mr. Kevin Clark, Financial Secretary
Ms. Katherine Alexander, Secretary
Mr. David Haylett, Jr.
Mr. William Ross
Ms. Gail Tylec
Mr. Jerald Wolfgang
Mr. Jacob Tipton, Student Trustee

Board Members Present via ZOOM

Ms. Gina Virtuoso, Vice Chairperson
Ms. Sheila Smith

Administration Present

William J. Murabito, Ph.D., President
Ms. Deborah Brewer, Director of Foundation
Ms. Catherine Brown, Assistant Vice President of Human Resources
Ms. Alissa Cummings, Assistant Vice President of Student Services
Ms. Barbara DeSimone, Assistant Vice President of Institutional Advancement
Mr. John Eichner, Director of Business Services
Dr. Fabio Escobar, Assistant Vice President of Academic Affairs
Mr. Jesse Goldberg, Chief Information Officer
Mr. Wayne Lynch, Vice President of Administration
Mr. Brian Michel, Assistant Vice President of Economic Development
Ms. Julia Pitman, Vice President of Student Services
Mr. John D Strong, Chief Diversity and Equity Officer
Ms. Lydia Ulatowski, Vice President of Academic Affairs
Ms. Barbara Walck, Assistant to the President

Chairperson Cafarella called the meeting to order at 4:30 p.m. and stated the meeting was being recorded and live streamed. A roll call of board members on zoom: Vice Chairperson Virtuoso and Trustee Smith were present virtually.

Chairperson Cafarella asked Secretary Alexander to lead the assembly in the Pledge of Allegiance and a moment of silence for the men and women serving in the military.

PUBLIC COMMENTS

There were no Public Comments.

Chairperson Cafarella stated the Fiscal Committee is being moved to this portion of the meeting due to Vice President Lynch needing to attend a Niagara County Legislature meeting.

FISCAL COMMITTEE

Committee Chairperson Clark read the Resolution for:

**BOARD RESOLUTION
SUPPORT OF NCCC CAPITAL FUNDING REQUEST TO NEW YORK STATE**

WHEREAS, the Niagara County Legislature has consistently recognized the importance of Niagara County Community College as an invaluable asset to Niagara County, and

WHEREAS, the administration of Niagara County Community College has identified several areas of need to remain competitive within the Western New York higher education arena, and

WHEREAS, the proposed additional capital funding total of \$2,000,000 which includes construction of a new Criminal Justice Facility supporting and expanding our Criminal Justice curriculum, and

WHEREAS, the County of Niagara will provide \$1,000,000 as the local sponsor funding to address the shortfall in existing funding due to current economic conditions that have created both inflationary and labor pressures which have escalated the initial investment needed from a \$4,540,000 total to a \$6,540,000 total investment, therefore be it

RESOLVED, that the Niagara County Community College Board of Trustees, as governing board of the college, does hereby support the proposed capital funding for construction of a new Criminal Justice Facility also known as the Niagara County Law Enforcement Academy (NCLEA); and be it further

RESOLVED, that Niagara County Community College is requesting SUNY to provide a 50% match of the additional capital amount of \$2,000,000. The amount requested from SUNY is \$1,000,000.

Signed this _____ day of _____, 2022

Jason J. Cafarella
Chairperson, Board of Trustees
BOT 22-12

Vice President Lynch discussed the capital funding request.
It was moved by Financial Secretary Clark and seconded by Trustee Wolfgang that the Board approve the Resolution Support of NCCC Capital Funding Request to New York State (Niagara County Law Enforcement Academy). Motion carried unanimously.

Committee Chairperson Clark read the resolution for:

BOARD RESOLUTION

SUPPORT OF NCCC CAPITAL FUNDING REQUEST TO NEW YORK STATE

WHEREAS, the Niagara County Legislature has consistently recognized the importance of Niagara County Community College as an invaluable asset to Niagara County, and

WHEREAS, the administration of Niagara County Community College has identified several areas of need to remain competitive within the Western New York higher education arena, and

WHEREAS, the proposed additional capital funding total of \$1,500,000 which includes renovation of the C-Annex to support Welding, Clean Manufacturing Technology and Associated programs, and

WHEREAS, the County of Niagara will provide \$750,000 as the local sponsor funding to address the shortfall in existing funding due to current economic conditions that have created both inflationary and labor pressures which have escalated the initial investment needed from a \$2,000,000 total to a \$3,500,000 total investment, therefore be it

RESOLVED, that the Niagara County Community College Board of Trustees, as governing board of the college, does hereby support the proposed capital funding for renovations to the C-Annex to support Welding, Clean Manufacturing Technology and Associated Programs; and be it further

RESOLVED, that Niagara County Community College is requesting SUNY to provide a 50% match of the additional capital amount of \$1,500,000. The amount requested from SUNY is \$750,000.

Signed this _____ day of November, 2022

Jason J. Cafarella
Chairperson, Board of Trustees
BOT 22-13

Vice President Lynch discussed the capital funding request.

It was moved by Financial Secretary Clark and seconded by Trustee Ross that the Board approve the Resolution Support of NCCC Capital Funding Request to New York State (C-Annex Renovations). Motion carried unanimously.

Chairperson Clark read the resolution for:

BOARD RESOLUTION

SUPPORT OF NCCC CAPITAL FUNDING REQUEST TO NEW YORK STATE

WHEREAS, the Niagara County Legislature has consistently recognized the importance of Niagara County Community College as an invaluable asset to Niagara County, and

WHEREAS, the administration of Niagara County Community College has identified several areas of need to provide safe and reliable infrastructure systems, and

WHEREAS, the proposed capital funding total of \$750,000 which includes purchasing of equipment to replace an existing HVAC system with a new HVAC system that incorporates infection control means such as UV lighting systems, and

WHEREAS, the use of HEERF/ARP funds as the local sponsor share in support of this investment, now therefore be it

RESOLVED, that the Niagara County Community College Board of Trustees, as governing board of the college, does hereby support the proposed capital funding for replacement of an existing HVAC unit in the C-Annex building; and be it further

RESOLVED, that Niagara County Community College is requesting SUNY to provide a 50% match of the total capital amount of \$750,000. The amount requested from SUNY is \$375,000.

Signed this _____ day of _____, 2022

Jason J. Cafarella
Chairperson, Board of Trustees
BOT 22-14

Vice President Lynch discussed the capital funding request.

It was moved by Committee Chairperson Clark and seconded by Trustee Alexander to approve the Resolution – Support of NCCC Capital Funding Request to New York State (C-Annex HVAC) as presented. Motion carried unanimously.

Committee Chairperson Clark read the resolution for:

BOARD RESOLUTION

CONSENT AUTHORIZING EXECUTION OF A FIRST AMENDMENT TO THE GROUND LEASE BETWEEN NIAGARA STUDENT HOUSING DEVELOPMENT CORPORATION AND STUDENT HOUSING VILLAGE CORPORATION

WHEREAS, Niagara Student Housing Development Corporation (“NSHDC”) is the owner of approximately 12 acres property located on the campus of Niagara County Community College (the “College”); and

WHEREAS, under a ground lease agreement between NSHDC and Student Housing Village Corporation (“SHVC”) dated September 1, 2007, SHVC agreed to build and operate an approximately 309-bed student housing facility on NSHDC’s property; and

WHEREAS, the initial term of the ground lease expires August 31, 2048; and

WHEREAS, student housing attracts students and helps Niagara County Community College (“College”) offer a more fulfilling experience; and

WHEREAS, the College’s Board believes that an extension of the ground lease is in its best interests.

NOW, THEREFORE, LET IT BE RESOLVED by the Niagara County Community College Board of Trustees that it hereby consents to a first amendment to the ground lease between Niagara Student Housing Development Corporation and Student Housing Village Corporation to extend the ground lease term to August 31, 2060.

Signed this _____ day of _____, 2022.

Jason J. Cafarella
Chairperson, Board of Trustees
BOT 22-15

Vice President Lynch discussed the ground lease for the student housing village request.

It was moved by Committee Chairperson Clark and seconded by Trustee Alexander to approve the Resolution – Consent authorizing execution of a first amendment to the ground lease between Niagara student housing development corporation and student housing village corporation as presented. Motion carried, one abstention.

The Business and Finance update was provided by Vice President Lynch. It was moved by Committee Chairperson Clark and seconded by Trustee Wolfgang to approve the C-Annex Welding Project Contract Award as presented.

Motion carried unanimously.

CONSENT AGENDA

Chairperson Cafarella asked if Board members had any questions regarding the Consent Agenda. It was moved by Chairperson Cafarella and seconded by Trustee Wolfgang that the Board approve the minutes from the October 18, 2022 board meeting, Statement of Revenues and Expenditures, and Grant Activities. Motion carried unanimously.

It was moved by Chairperson Cafarella and seconded by Trustee Clark that the board approve the new Program – Police Basic Training, Certificate as presented. Motion carried unanimously.

It was moved by Chairperson Cafarella and Seconded by Trustee Ross that the board approve the Program Deactivations/Discontinuation of Business Retail Management, AAS as presented. Motion carried unanimously.

It was moved by Chairperson Cafarella and seconded by Trustee Ross that the board approve the Program Deactivations/Discontinuation of Physical Therapy Assistant, AAS as presented. Motion carried unanimously.

INFORMATION ITEMS

Chairperson Cafarella asked Board members if there were any questions regarding the Information Items. The following items were received and filed: Grant Tracking Chart, Personnel Status Chart, Foundation Report, Facilities Update, Prospective Request for Proposals (2), Chosen Name and Gender Identity Policy, and the Summary of Curriculum Changes as follows: Program Modifications: Changes in General Education requirements on the following programs: Animation, Liberal Arts and Sciences, Criminal Justice, Communication Studies, Digital Media, Fine arts, Psychology, Theatre Arts, Biology and Computer Information Systems.

CHAIRPERSON'S REPORT

Chairperson Cafarella welcomed new Trustee Gail Tylec to the board. Her orientation will be at the end of November.

Chairperson Cafarella thanked Deb Brewer, Barb DeSimone and the volunteers for all their work on the successful Foundation Diamond Gala held on October 22.

The annual Veterans Day ceremony was held on November 10. Trustee Ross provided the board greeting.

The next board bylaw meeting will be Monday, November 28 at noon. All board members are welcome to attend.

PRESIDENT'S REPORT

President Murabito discussed the following:

- President Murabito attended a meeting with Chairman Merryl Tisch and SUNY Trustee Eunice Lewin at University at Buffalo.
- President Murabito met with developers regarding cannabis on Monday. There will be more follow up as this project continues.
- President Murabito and Brian Michel met with Dr. Mechtler, who agreed to be the keynote speaker at a meeting on January 10, 2023. This meeting will focus on higher education and the various uses of cannabis.
- Currently the 2023-2024 academic calendar is under review as the college is looking to begin the fall semester after Labor Day. A revision of next years calendar will be presented for board review/approval.
- Barbara DeSimone, Assistant Vice President of Institutional Advancement discussed the branding project taking place within the college. The first meeting was held with faculty and staff providing feedback from the college as to where we are headed. Next step will involve more interviews on our messaging, and background information. The recommendation and brand will come before the board.
- Tomorrow is a Town Hall meeting at 12:30 p.m. This year's theme is Equity, Diversity and Inclusion, presented by John Strong and President Murabito. Zoom information will be provided tomorrow morning.

- Vice President Ulatowski discussed the evening college initiative. WE will target four programs; Business, CADD, Education and LPN.
- Tomorrow night there is a basketball game, vs. Monroe Community College.

STUDENT TRUSTEE REPORT

Student Trustee Jacob Tipton provided his report.

FACULTY OBSERVER REPORT

The Faculty Observer Report was provided by Dr. Elizabeth Sachs, Faculty Senate President.

COMMITTEE REPORTS

ACADEMIC/STUDENT LIFE COMMITTEE

Committee Chairperson Smith stated there was nothing to report.

It was moved by Financial Secretary Clark and seconded by Trustee Wolfgang that the Board go into Executive Session under the provisions of Section 105 of Article 7 of the Public Officers Law to discuss contract negotiations and personnel at 5:40 p.m. Motion carried unanimously.

It was moved by Trustee Wolfgang and seconded by Student Trustee Tipton that the Board come out of Executive Session at 7:55 p.m. Motion carried unanimously.

OLD BUSINESS

Vice President Lynch stated the Niagara County Legislature passed all three capital resolutions.

NEW BUSINESS

Trustee Clark stated he is on the Middle States Committee, as this is a three-year process. He is the board representative and will keep the board informed as things move along.

GOOD & WELFARE

There were no Good & Welfare items.

The next board meeting will be held on Tuesday, December 20, 2022 at 4:30 p.m. in the Robert Michael Sdao Memorial Board Room.

It was moved by Trustee Ross and seconded by Trustee Haylett, Jr. to adjourn at 8:00 p.m. Motion carried unanimously.

Katherine D. Alexander
Secretary