

**The Fiscal Committee
meeting of the Board of Trustees was held
on May 9, 2023 at 10:00 a.m.
in the Robert Michael Sdao Memorial Board Room
at Niagara County Community College
and via ZOOM**

Fiscal Committee Board Members in Person

Mr. Kevin Clark, Chairperson
Mr. David Haylett, Jr.

Fiscal Committee Board Members via ZOOM

Ms. Gina Virtuoso, Vice Chairperson
Mr. Jason Cafarella
Ms. Gail Tylec (non-voting member)

Administration Present

William J. Murabito, Ph.D., President
Mr. John Eichner, Director of Business Services
Ms. Patrice Elnicki, Director of Financial Reporting and Accounting
Mr. Wayne Lynch, Vice President of Administration
Mr. Robert McKeown, Assistant Vice President, Student Services and Campus Engagement
Ms. Barbara Walck, Assistant to the President

Chairperson Clark called the meeting to order at 10:00 a.m. and stated the meeting was being recorded. A roll call acknowledged the following were present via zoom: Vice Chairperson Gina Virtuoso, Trustee Cafarella, and Trustee Tylec. Those in person were Chairperson Kevin Clark, Trustee Haylett, Wayne Lynch, John Eichner, Patrice Elnicki and Robert McKeown.

Chairperson Clark lead with the Pledge of Allegiance and provided well wishes and congratulations to the students graduating this weekend.

Chairperson Clark thanked those for attending the meeting,

FISCAL COMMITTEE MINUTES

Committee Chairperson Clark asked if anyone had questions on the minutes. It was moved by Trustee Haylett and seconded by Trustee Cafarella to approve the Fiscal Committee Meeting minutes of February 17, 2023 as presented. Motion carried unanimously.

DRAFT – STUDENT FEE POLICY

Robert McKeown, Assistant Vice President stated NCCC used a state-wide student fee policy, but we felt NCCC needed to propose/draft their own policy. This policy will direct usage as to what fees can and cannot be spent on. Also, this policy will direct student government association on how and what to spend the fund balance on. It was moved by Committee Vice Chairperson Virtuoso and seconded by Trustee Haylett to approve the student fee policy as presented and move to the full board meeting next week. Motion carried unanimously.

PRISON EDUCATION PROGRAM

Vice President Lynch stated he and Vice President Ulatowski are working with the local sheriff to administer the Prison Education Program to inmates at the Niagara County Jail. The classes offered will be 5-7 weeks in length, using morning and afternoon for studies, and support services will be provided by BOCES. Sheriff's office is willing to fund this via a commissary fund which is earmarked for inmates. President Murabito stated this is part of social involvement. Committee Chairperson Clark read the resolution:

**Niagara County Community College
Board Resolution
Niagara County Jail Prison Education Program**

Whereas Niagara County Community College (the “College”) is a State University of New York approved community college; and,

Whereas the County of Niagara (the “County”) has Niagara County Sheriff’s Office (hereinafter, the “Sheriff’s Office”), as its law enforcement agency duly authorized to enforce the laws for the County of Niagara, and operates a County jail to lawfully detain and house incarcerated individuals; and,

Whereas the Sheriff’s Office partners with Orleans/Niagara BOCES to provide secondary education opportunities to incarcerated individuals to, in part, lower recidivism rates and create higher employment and earnings potential for formerly incarcerated individuals; and,

Whereas the United States Department of Education extended access to Pell grants for confined or incarcerated individuals who enroll in higher education programs in prison (the “Prison Education Program” or “PEP”); and,

Whereas the Sheriff’s Office has identified non-taxpayer funding to help incarcerated individuals cover the cost of a higher education program in the County jail; and,

Whereas the College desires to keep the cost of education as low as possible for the Sheriff’s Office and incarcerated individuals enrolled in PEP; now, therefore, be it

Resolved that all non-mandatory fees charged by the College be waived for incarcerated individuals enrolling in College’s education program housed in the County jail commencing with the summer 2023 term.

It was moved by Committee Chairperson Clark and seconded by Trustee Cafarella to approve the Prison Education Program as presented and move to the full board meeting next week. Motion carried unanimously.

FIRST DAY COMPLETE EVALUATION COMMITTEE

Chairperson Clark read the Resolution:

**Niagara County Community College
Board Resolution
First Day Complete Per Credit Hour Fee**

Whereas Niagara County Community College (the “College”) and the College Association of Niagara County Community College, Inc. (the “Association”) entered into an agreement with Barnes and Noble College Bookseller, LLC (“Barnes & Noble”) to operate and provide bookstore services for the Sanborn and Niagara Falls campuses of the College; and,

Whereas the parties agreed to a fourth amendment of the agreement to serve the needs of students; and,

Whereas the fourth amendment introduces a program called First Day Complete (“FDC”) starting in the fall 2023 term in which FDC provides instructor chosen required course materials at a per credit hour rate to students with their ability to opt-out of the program; and,

Whereas FDC excludes courses from the per credit hour rate charge to a student when an instructor uses open education resources as required course material; and,

Whereas the FDC per credit hour rates shall be updated annually.

NOW THEREFORE LET IT BE RESOLVED BY NIAGARA COUNTY COMMUNITY COLLEGE AS FOLLOWS:

The Board of Trustees authorizes the College to charge a per credit hour rate of \$22 to students enrolled in non-culinary and baking programs and \$27 per credit hour rate to students enrolled in Culinary and Baking programs, commencing with the 2023-2024 academic year.

It was moved by Committee Chairperson Clark and seconded by Trustee Haylett to approve the presented resolution and that the board directs the President to create a process to evaluate the recently approved First Day Complete program. A representative committee (Faculty Senate, SGA, Administration and College Association) will design and implement a review process and report the results to the president no later than May 2024, and move to the full board meeting next week. Motion carried unanimously.

It was moved by Committee Vice Chairperson Virtuoso and seconded by Trustee Haylett, Jr., that the fiscal committee go into Executive Session under the provisions of Section 105 of Article 7 of the Public Officers Law to discuss budget at 10:25 a.m. Motion carried unanimously.

It was moved by Trustee Haylett, Jr., and seconded by Committee Vice Chairperson Virtuoso that the fiscal committee come out of Executive Session at 11:00 a.m. Motion carried unanimously.

FY 2023-2024 Proposed Budget/Student Fees

It was moved by Committee Chairperson Clark and seconded by Committee Chairperson Virtuoso to approve the 2023-2024 Proposed Budget as presented, and move to the full board meeting. Motion carried unanimously.

Budget Calendar Schedule

Vice President Lynch discussed the budget calendar schedule, and NCCC will have presentation at the Niagara County Legislative meetings scheduled for July 24 and August 1.

Business and Finance Update

- Niagara County Law Enforcement Academy (NCLEA) – Vice President Lynch discussed the purchase order awards and that all funding is in place. It was moved by Committee Chairperson Clark and seconded by Trustee Haylett, Jr., to approve the NCLEA purchase order awards as presented, and move to the full board meeting. Motion carried unanimously.
- Student Hub – Vice President Lynch discussed the purchase order awards. It was moved by Committee Chairperson Clark and seconded by Trustee Haylett, Jr., to approve the Student Hub purchase order awards as presented, and move to the full board meeting. Motion carried unanimously.

Piano Donation

Vice President Lynch discussed the donation, as this would be a conditional motion. It was moved by Committee Chairperson Clark and seconded by Trustee Haylett, Jr., to approve the piano donation as presented, and advance to the full board under the condition it is approved by the foundation board.

Committee Vice Chairperson Virtuoso thanked Wayne, Patrice and John for their hard work in preparing for the budget.

There were no other questions from the committee.

It was moved by Trustee Haylett, Jr. and seconded by Vice Chairperson Virtuoso to adjourn at 11:10 a.m.

Barbara Walck
Assistant to the President