

**NIAGARA COUNTY COMMUNITY COLLEGE  
BOARD OF TRUSTEES  
APRIL 11, 2017**

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**A meeting of the Board of Trustees was held  
on April 11, 2017 at 5:30 p.m.  
in the Robert Michael Sdao Memorial Board Room  
at Niagara County Community College**

**Board Members Present**

Mr. Vincent Ginestre, Chairperson  
Mr. William Ross, Vice Chairperson  
Ms. Gina Virtuoso, Financial Secretary  
Mr. Jason Cafarella  
Mr. Bradley Rowles  
Mr. Vincent Sandonato  
Ms. Bonnie Sloma  
Mr. James Ward  
Ms. Katelynn DeLac, Student Trustee

**Board Member Excused**

Ms. Sheila Smith, Secretary

**Administration Present**

Dr. James P. Klyczek, President  
Ms. Deborah Brewer, Director of Foundation  
Ms. Catherine Brown, Director of Human Resources  
Dr. Luba Chliwniak, Vice President of Academic Affairs  
Ms. Barbara DeSimone, Acting Director of Public Relations  
Mr. Michael Dombrowski, Vice President of Operations  
Mr. Dennis Michaels, Chief Information Officer  
Ms. Julia Pitman, Vice President of Student Services  
Mr. William Schickling, Vice President of Finance/Information Technology  
Ms. Lydia Ulatowski, Asst. Vice President of Academic Affairs  
Ms. Barbara Walck, Assistant to the President

**Invited Guests Present**

Ms. Deborah Beach, ESPA Union President  
Ms. Lori Townsend, Faculty Senate President

Chairperson Ginestre called the meeting to order at 5:35 p.m. and led the assembly in the Pledge of Allegiance and a moment of silence in respect for the men and women who are serving our country.

## **CONSENT AGENDA**

A Revised Agenda was provided with an additional item included in the Consent Agenda showing corrected meeting minutes of September 13, 2016 where the motion should read "Project Labor Agreement" not Project Lease Agreement (copy attached). It was moved by Trustee Ross and seconded by Trustee Rowles to approve this change. Motion carried unanimously.

Trustee Sloma asked why this change was now brought to the board's attention; President Klyczek stated board minutes are being obtained and reviewed by outside counsel and the error was found by President Klyczek.

Chairperson Ginestre asked if Board members wanted any item removed from the Consent Agenda. It was moved by Trustee Ginestre and seconded by Trustee Ward that the Board approve the Consent Agenda which included the Board Meeting Minutes of March 7, 2017, Corrected Meeting Minutes of September 13, 2016, Statement of Revenues and Expenditures, and Grant Activities. Motion carried unanimously.

## **INFORMATION ITEMS**

Chairperson Ginestre asked Board members if there were questions regarding the Information Items. Trustee Sloma questioned why the "Conferring of Degrees" was under Information Items. President Klyczek stated Barb Walck will check to see if this should be an action item. The following items were received and filed: Grant Tracking Chart, Personnel Status Chart, Facilities Update, Foundation Report, Conferring of Degrees, Letter to SUNY for Proposed Changes to Music, A.S. degree, Letter from SUNY Approving Program Revision for Music A.S. degree, and Student Trustee Katelynn DeLac Oath of Office.

## **Chairperson's Report**

Chairperson Ginestre stated the law firm of Hancock Estabrook, LLP is working on the internal investigation and is on track and should be completed in approximately 6-8 weeks. Information relevant to the subpoena is almost completely done, i.e, the reviews, emails and internal communications, and are about ready to schedule interviews. Trustee Virtuoso asked about the hours worked and cost of the attorney fees/invoice and Vice President Schickling was asked to send the invoice statement to all board members. Trustee Ward asked if an update could be provided to board members prior to 6-8 weeks. Chairperson Ginestre suggested a video conference with the law firm given advance notice which would be more cost effective.

Chairperson Ginestre provided an update on the Men's Basketball Team; NCCC recently wrapped up its Cinderella run at the NJCAA Division II Men's Basketball Tournament in Danville, Illinois. The Thunderwolves were making their first Nationals appearance since 1979, opened the tournament with a 78-67 win over Macomb Community College. Two days later, NCCC lost to South Suburban College 105-78, then an 84-78 loss against Grand Rapids, ending NCCC's season. Thunderwolves finished the year with a 25-7 record. Head coach Bill Beilein was named both District 2 and Region 3 Coach of the Year. Sophomore Jamal Pollydore was the Region 3 Player of the Year.

Chairperson Ginestre called to close the public comment period with five speakers. Three board members asked to allow the additional two speakers to provide their comments.

## **PUBLIC COMMENTS**

Public Comments were given by:

Robert Hoover  
Debbie Beach  
Barb Melcher  
Rose Mary Warren  
Tim Veiders  
Kathy Gerbasi  
Phil Haseley

Chairperson Ginestre stated Commencement will take place on Saturday May 13, 2017. He encouraged board members to attend this uplifting experience seeing students walk across the stage and their families applauding them.

## **PRESIDENT'S REPORT**

President Klyczek reported that:

- Welcome to our new Student Trustee Katelynn DeLac. She has met with the President Klyczek and Chairperson Ginestre to begin the orientation process.
  - Promotions in the faculty association were not processed this year. Each year the President's office brings together the faculty representatives who make recommendations of promotions or early tenure. The process carries on through early spring; recommendations come to the President who ultimately makes recommendations to the board. In the fall semester, we were in an arbitration regarding promotions with the faculty union. The committee was not convened, and faculty did not bring up the matter. We are still in arbitration on a previous dispute, but the committee will be convened. The President has met with the faculty association president, and the work will begin.
  - Recently, cyber insurance was purchased. Vice President Schickling provided a brief update. Due to many colleges not having coverage, a committee was established of CIO's, and business officers from state operated colleges. The business was awarded and each campus (20 colleges signed up) will have coverage effective April 1. The policy runs for one year. Trustee Rowles asked what the annual cost is, which will be \$17,000.
  - The SUNY Performance Improvement Fund; we are submitting five (5) one page initiatives/projects to SUNY to obtain resources through this fund. Institutions submit a brief outline and then SUNY determines if we are eligible to submit a full request.
  - The year's SUNY Chancellor's Award for Student Excellence was awarded to Emily Benes and Daniele Dirks. Both were recommended by a campus committee. Vice President Pitman accompanied these students to Albany on April 5 for their award.
  - The USA Today Phi Theta Kappa was awarded to Emily Clark, Shameka Magby, and Sarah Moore, Instructor Paul Ratka coordinates this program and accompanied these students to Albany.
  - One of our graduates was featured in the Western New York Women's Foundation spring newsletter as part of our MOMs program. Our model program will be replicated at other local colleges.
  - Chairperson Ginestre mentioned our commencement on May 13, with our keynote speaker Lee Woodruff. She is the wife of Bob Woodruff from ABC News, who was severely injured in Iraq in 2006. She is an author and business person.
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- Chief Hoover provided an update during the public comment period on the student housing meeting/progress and another meeting will be held in several weeks. Vice President Dombrowski is working on pricing of window locks, and Kristin Beck, the housing director is working with the Fire

Chief on increasing training and continuing education of fire safety for RA's and residents. We are also working on

the billing services agreement with the fines/penalties assessed in housing and how it appears on their billing statement. A follow up meeting will take place in several weeks.

- No final report from the Department of Education visit from January. Information has been exchanged back and forth and currently working on several things for a satisfactory progress. Vice President Pitman stated the Culinary Institute is an extension of NCCC. Vice President Chliwniak provided an update on the branch campus. At this time, students can not complete their courses 100 percent at NCCI. Students were offered free bus transportation to the Sanborn campus to take one class there. President Klyczek discussed the TAP process. President Klyczek will provide a timeline of the process at the next board meeting. Trustee Virtuoso passed out a petition from students pertaining to branch campus; transportation between campuses was discussed.
- Professor Art Taylor has been hospitalized in Rochester. Updates will be provided.
- NCCC Administrator Martin Barrett who retired in 1987 passed away last week.

## **STUDENT TRUSTEE REPORT**

Student Trustee Katelynn DeLac provided information from her report. A handout was provided on "Thunder Fest" to be held on May 5<sup>th</sup>.

## **COMMITTEE REPORTS**

### **Finance Committee**

Chairperson Virtuoso introduced Craig Stevens and Jon Miller from The Bonadio Group. The Presentation of Audit Results was provided. Trustee Virtuoso provided a handout.

It was moved by Trustee Virtuoso and seconded by Trustee Rowles to accept the audit results as presented. Motion carried unanimously.

It was moved by Trustee Cafarella and seconded by Trustee Sandonato that the Board meet in executive session under the provisions of Section 105 of Article 7 of the Public Officers Law to discuss personnel and legal matters at 7:20 p.m. Motion carried unanimously.

It was moved by Trustee Ross and seconded by Trustee Cafarella that the Board come out of executive session at 8:25 p.m. Motion carried unanimously.

It was moved by Trustee Virtuoso and seconded by Trustee Ward that the board approve the ESPA Retirement Incentive as presented. Motion carried unanimously.

### **Governmental Affairs**

Trustee Ross discussed the Excelsior Scholarship legislation and provided an update with handout. Trustee Ross also provided a legislative update on level three sex offenders being barred from student housing.

### **Planning/Facilities**

Trustee Sloma asked that the update on the Learning Commons be tabled.

Vice President Chliwniak provided updates on the discontinuance and deactivation of programs/certificates. She clarified the difference between those actions.

It was moved by Trustee Sloma and seconded by Trustee Rowles to approve the discontinuance of the Homeland Security/Emergency Management AAS Degree and Certificate programs. Motion carried unanimously.

It was moved by Trustee Sloma and seconded by Trustee Virtuoso to approve the discontinuance of the Economic Crime Investigation AS degree program. Motion carried unanimously.

It was moved by Trustee Sloma and seconded by Trustee Cafarella to approve the deactivation of Local Area Network Certificate. Motion carried unanimously.

It was moved by Trustee Sloma and seconded by Trustee Ross to approve the deactivation of the Accounting Certificate. Motion carried unanimously.

Trustee Sloma asked that the Preferred Name Policy be tabled.

### **Personnel**

It was moved by Trustee Cafarella and seconded by Trustee Sloma that the Campus Strategic Diversity and Inclusion Plan be accepted as presented. Motion carried unanimously.

### **OLD BUSINESS**

Trustee Sloma asked for an update regarding an attorney being present at board meetings. Chairperson Ginestre stated that Harter Secrest would be available for this purpose. Chairperson Ginestre asked that board members look at the agenda prior to the meeting and pass along any questions to Chairperson Ginestre. Chairperson Ginestre stated the agenda needs to be submitted to board members ten days prior to meeting.

Chairperson Ginestre and Trustee Ross are on the College Association board, and are looking to move in the direction of expanding the Collage Association Board and updating the College Association Bylaws.

### **NEW BUSINESS**

Trustee Sloma asked about our current lobbyist. The company we currently are using is Park Strategies. It has not been decided if an RFP needs to be done, as their contract expires in May 2017. Trustee Sloma provided a handout of a settlement concerning Fred Hiffa. Trustee Cafarella asked to have an RFP drafted and developed for the May meeting.

It was moved by Trustee Cafarella and seconded by Trustee Sloma that an RFP be drafted and developed for the May meeting. Motion carried unanimously.

Trustee Cafarella read an email from Attorney Hughes from Hancock Estabrook LLC. Trustee Cafarella will forward the email to Barb Walck and she will forward to all board members.

Chairperson Ginestre discussed the start time for the May board meeting. It was agreed that the meeting will start at 4:30 p.m. and include one presentation as part of the meeting.

**GOOD & WELFARE**

Chairperson Ginestre stated the update on the Mem's basketball team was already provided.

It was moved by Trustee Sloma and seconded by Student Trustee DeLac to adjourn at 9:00 p.m. Motion carried unanimously.

Sheila Smith  
Secretary