

**SUNY NIAGARA**  
**BOARD OF TRUSTEES**  
**OCTOBER 15, 2024**

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**A meeting of the Board of Trustees was held  
on October 15, 2024, at 4:30 p.m.  
in person, and live streaming**

**Board Members Present**

Ms. Katherine Alexander, Chairperson  
Mr. Kevin Clark, Vice Chairperson  
Ms. Gail Tylec, Financial Secretary  
Ms. Sheila Smith, Secretary  
Mr. David Haylett, Jr.  
Mr. William Ross  
Ms. Gina Virtuoso (via ZOOM)  
Mr. Lee Wallace  
Mr. Jacob Joseph Fleming, Jr.

**Board Members Excused**

Mr. Jason Cafarella

**Administration Present**

Lloyd A. Holmes, Ph.D., President  
Julie Berrigan, Director of Development  
Catherine Brown, Assistant Vice President of Human Resources  
Tammy Bruno, Interim Assistant Vice President of Academic Affairs  
John Eichner, Director of Business Services  
Fabio Escobar, Ph.D., Assistant Vice President, Institutional Effectiveness  
Harold Legg, Director of Public Relations  
Wayne Lynch, Vice President of Administration  
Brian Michel, Ph.D., Assistant Vice President, Economic Development  
Megan Schutte, Ph.D., Assistant Vice President, Humanities and Social Sciences Division  
Lydia Ulatowski, Vice President of Academic Affairs  
Barbara Walck, Assistant to the President

Chairperson Alexander called the meeting to order at 4:37 p.m. and stated the meeting was being recorded and live streamed.

A roll call of board members present was taken: Trustee Alexander, Trustee Clark, Trustee Haylett, Jr., Trustee Ross, Trustee Smith, Trustee Tylec, Trustee Virtuoso (via ZOOM), Trustee Wallace and Student Trustee Fleming, Jr.

Trustee Ross lead the assembly in the Pledge of Allegiance, and a moment of silence to thank and honor our first responders, and women and men in the military; those that serve domestically and abroad.

**PUBLIC COMMENTS**

There were no Public Comments.

**PRESENTATIONS**

There were no Presentations.

## **CONSENT AGENDA**

Chairperson Alexander asked if Board members had any questions regarding the Consent Agenda items. Trustee Tylec inquired about the recent issuance of healthcare-based grant funding from New York State to statewide higher education. Brian Michel acknowledged the college has responded to the issuance of two separate RFPs from the state to fund healthcare-based education on campus. It was moved by Chairperson Alexander and seconded by Trustee Clark that the Board approve the minutes from the September 17, 2024 board meeting, Statement of Revenues and Expenditures, and Grant Activities. Motion carried unanimously.

## **INFORMATION ITEMS**

Chairperson Alexander asked Board members if there were any questions regarding the Information Items. Trustee Ross stated to Assistant Vice President Brown a nursing position was filled, but she responded there will be another opening in nursing. Trustee Ross commented that Vice President Lydia Ulatowski and Controller Patrice Elnicki are both retiring, and the college is losing two outstanding employees. The following items were received and filed: Grant Tracking Chart, Personnel Status Chart, Foundation Report and Facilities Update. There were no further questions.

## **CHAIRPERSON'S REPORT**

Chairperson Alexander discussed the following:

- The NYCCT conference was attended by Trustee Gail Tylec and President Holmes. President Holmes was very appreciative that Trustee Tylec attended the conference. Trustee Tylec provided a PowerPoint presentation on what was covered, i.e, reinforcing roles and responsibilities as a trustee, state funding for community college vs. state operated college, and the impact and growth of AI.
- Chairperson Alexander is looking forward to the Scholarship Soiree on Thursday held at NFCI.
- November 8, 2024, at 11:00 a.m. is the Veterans Day Service, to be held in Veterans Memorial Park on the Sanborn campus.
- The Small Business Development Center provided each trustee with an invitation to their grand opening celebration on Thursday, November 14, 2024, starting at 8:00 a.m. in the Learning Commons.
- The Niagara County Law Enforcement Academy is having their grand opening on Tuesday, November 19, starting at 1:00 p.m. at their new building, near the Townline Road entrance.
- The annual holiday boards' meeting/dinner will be held on Monday, December 9, 2024 at Savor Restaurant. More details to follow.
- Chairperson Alexander stated trustees have a need for a space (room) in the building to be utilized for computer work, meetings, etc. This request is in the early stages of discussion/planning with facilities.
- A board retreat is being discussed with other community college boards; hoping to move forward with this for all board members to be included and be a part of this retreat. More information to follow.

## **President's Report**

The following was discussed:

- President Holmes submitted his 100-day message and hoped everyone was able to read it and know that he is pleased with his first 100 days here on campus. The board, faculty, staff and students have been outstanding to work with.
- The Soiree will be held on Thursday, October 17 at NFCI. He is very happy to see so many board members attending and participating. We have 350 tickets sold, and 337 seats will be filled.
- President Holmes traveled to New York City on October 1 for a Community College Advisory panel for the national College Board which he serves on. SUNY Niagara is the only community college represented on this board. A few items discussed were legislative updates, trends of community colleges, teacher education to help grow and assist our teachers of tomorrow. Bachelorette degree with 90 credit hours. Discussed cyber security is moving into the high schools to offer these programs. Also discussed AI, and making teaching a learning profession.

- We are well into Middle States, and a brief presentation will be provided at the next board meeting on November 19. A final document will be provided to Middle States on December 12, of which we will share with the board. Their accreditation visit will be held in March 2025.

### **STUDENT TRUSTEE REPORT**

Student Trustee Fleming, Jr., provided his report.

### **FACULTY OBSERVER REPORT**

The Faculty Observer Report was provided by Dr. Elizabeth Sachs. Dr. Sachs provided a handout pertaining to a book entitled "Governance Reconsidered".

### **COMMITTEE REPORTS**

#### **ACADEMIC/STUDENT LIFE COMMITTEE**

Committee Chairperson Smith stated the committee met on October 2, 2024, and the minutes are included in the board materials. There were no questions on the minutes.

It was moved by Trustee Smith and seconded by Trustee Ross to approve the Proposed 2025-2026 Academic Calendar as presented. All in favor. Motion carried unanimously. There were no further questions.

Assistant Vice President Fabio Escobar provided a Policy Review presentation.

Assistant Vice President Fabio Escobar provided a Strategic Plan Website overview.

The next Academic Student Life committee meeting will be held on Wednesday, November 6, 2024 at 8:00 a.m.

A motion was made by Chairperson Alexander and seconded by Trustee Wallace to go into executive session to discuss contractual matters at 5:40 p.m.

A motion was made by Trustee Wallace and seconded by Trustee Clark to come out of executive session at 6:20 p.m.

### **FISCAL COMMITTEE**

Committee Chairperson Tylec stated the Fiscal Committee met on October 7, 2024, and the minutes were included in the board materials. There were no questions regarding the minutes.

Resolution – Faculty Association of NCCC Union Contract Ratification was discussed by President Holmes. He thanked participants on both sides of faculty and administration for coming to an agreement. This agreement helps with employee morale, and we all need to remember that all will receive and all need to give.

### **BOARD RESOLUTION**

#### **Faculty Association of Niagara County Community College**

**Background:** At a meeting of the Board of Trustees of SUNY Niagara held on October 15, 2024, the following resolution was proposed and approved by the Board:

**WHEREAS**, SUNY Niagara and the Faculty Association of Niagara County Community College have reached a settlement agreement on wages, terms, and other conditions of employment for the period from September 1, 2022, through August 31, 2027, with retroactive payment to members dating back to September 1, 2022; and

**WHEREAS**, the Agreement was lawfully and properly ratified by the membership of the Faculty Association of Niagara County Community College on October 10, 2024; and

**WHEREAS**, SUNY Niagara and the Faculty Association of Niagara County Community College believe that the best interests of both parties are served by executing the aforesaid amendment;

**THEREFORE**, be it resolved that the Board of Trustees hereby approves the ratification of the union contract between SUNY Niagara and the Faculty Association of Niagara County Community College, effective October 15, 2024.

A motion was made by Trustee Wallace and seconded by Trustee Alexander to approve the Resolution – Faculty Association of NCCC Union Contract Ratification as presented. All in favor. Motion carried unanimously.

Resolution – Capital Funding Request to New York State – Science Lab Investments. Vice President Lynch stated this is part of the five-year strategic plan.

**BOARD RESOLUTION**  
**SUPPORT OF SUNY NIAGARA (NIAGARA COUNTY COMMUNITY COLLEGE)**  
**CAPITAL FUNDING REQUEST TO NEW YORK STATE**  
**Science Lab Investments**

WHEREAS, the SUNY Niagara (Niagara County Community College) Board of Trustees has consistently recognized the importance of SUNY Niagara as an invaluable asset to Niagara County, and

WHEREAS, the Administration of SUNY Niagara has identified several areas of required renovations and upgrades to our Academic Spaces, and

WHEREAS, the proposed capital funding total of \$650,000 which includes but not limited to renovations to our Science Lab(s) located in C-Building and supporting our STEM programs and

WHEREAS, the County of Niagara has pledged the amount of \$325,000 as the local sponsor share in support of this funding submission to SUNY, now therefore be it

RESOLVED, that the SUNY Niagara Board of Trustees, as the governing board of the college, does hereby support the proposed capital funding for Science Lab renovations; and be it further

RESOLVED, that SUNY Niagara is requesting SUNY to provide a 50% match of the total capital amount of \$650,000. The amount requested from SUNY is \$325,000.

A motion was made by Trustee Tylec and seconded by Trustee Wallace to approve the Resolution – Capital Funding Request to New York State – Science Lab Investments as presented. All in favor. Motion carried unanimously.

Resolution – Capital Funding Request to New York State – Wellness and Mental Health Center Investments. Vice President Lynch stated this investment will relocate the student wellness center from C building to G building, along with the mental health Center as a combined unit, but with separate treatment spaces.

**BOARD RESOLUTION**  
**SUPPORT OF SUNY NIAGARA (NIAGARA COUNTY COMMUNITY COLLEGE)**  
**CAPITAL FUNDING REQUEST TO NEW YORK STATE**  
**Wellness and Mental Health Center Investments**

WHEREAS, the SUNY Niagara (Niagara County Community College) Board of Trustees has consistently recognized the importance of SUNY Niagara as an invaluable asset to Niagara County, and

WHEREAS, the Administration of SUNY Niagara has identified several areas of required renovations and construction of a new Wellness and Mental Health Center, and

WHEREAS, the proposed capital funding total of \$450,000 which includes but not limited to renovations to space located in the G-Building to create a combined Wellness and Mental Health Center for support of our students and

WHEREAS, the NCCC Foundation is providing funding in the amount of \$225,000 as the local sponsor share in support of this funding submission to SUNY, now therefore be it

RESOLVED, that the SUNY Niagara Board of Trustees, as the governing board of the college, does hereby support the proposed capital funding for a new Wellness and Mental Health Center; and be it further

RESOLVED, that SUNY Niagara is requesting SUNY to provide a 50% match of the total capital amount of \$450,000. The amount requested from SUNY is \$225,000.

A motion was made by Trustee Tylec and seconded by Trustee Ross to approve the Resolution – Capital Funding Request to New York State – Wellness and Mental Health Center Investments as presented. All in favor. Motion carried unanimously.

Resolution – Capital Funding Request to New York State –Electrical Infrastructure Investments. Vice President Lynch stated we need to continue investing in electrical upgrades as this is included in the five-year capital improvement plan.

BOARD RESOLUTION  
SUPPORT OF SUNY NIAGARA (NIAGARA COUNTY COMMUNITY COLEGE)  
CAPITAL FUNDING REQUEST TO NEW YORK STATE  
Electrical Infrastructure Investments

WHEREAS, the SUNY Niagara (Niagara County Community College) Board of Trustees has consistently recognized the importance of SUNY Niagara as an invaluable asset to Niagara County, and

WHEREAS, the Administration of SUNY Niagara has identified several areas of required replacements and upgrades to the physical plant in order for the college to operate safely and efficiently, and

WHEREAS, the proposed capital funding total of \$350,000 which includes but not limited to Infrastructure investments such as Electrical Distribution Equipment/Transformer(s) and

WHEREAS, the County of Niagara has pledged the amount of \$175,000 as the local sponsor share in support of this funding submission to SUNY, now therefore be it

RESOLVED, that the SUNY Niagara Board of Trustees, as the governing board of the college, does hereby support the proposed capital funding for Electrical Infrastructure Investments; and be it further

RESOLVED, that SUNY Niagara is requesting SUNY to provide a 50% match of the total capital amount of \$350,000. The amount requested from SUNY is \$175,000.

It was moved by Trustee Tylec and seconded by Trustee Wallace to approve the Resolution – Capital Funding Request to New York State – Electrical Infrastructure Investments as presented. All in favor. Motion carried unanimously.

Committee Chairperson Tylec asked Vice President Lynch if there were any changes/updates to the Business and Finance Update. Vice President Lynch indicated the year end operating results for fiscal year 2023-2024 are unaudited. He provided the Business and Finance update.

Vice President Lynch discussed the budget transfer.

It was moved by Trustee Tylec and seconded by Student Trustee Fleming, Jr., to approve the Fiscal year 2023-2024 Budget Transfer as presented. All in favor. Motion carried unanimously.

The next Fiscal Committee meeting will be held on November 14, 2024 at 1:00 p.m.

Chairperson Alexander asked the Awards Committee members to provide an update. Trustee Ross stated the committee continues to progress forward. He discussed the trustee emeritus award, and asked the president's office to provide the solid framework of researching past trustees who are retired from the board with two full terms of service. Those trustees will be placed on the criteria sheets and be reviewed and evaluated. The committee will provide the board with updates.

### **OLD BUSINESS**

None at this time.

### **NEW BUSINESS**

Chairperson Alexander discussed the resolution regarding the board of trustees supervisory authority, and the ongoing resolution submitted by NYCCT to all community colleges pertaining to the performance appraisals for their president.

It was moved by Trustee Wallace and seconded by Trustee Tylec to move this resolution to the floor. All in favor. Motion carried unanimously.

Chairperson Alexander read the resolution as follows:

**BOARD RESOLUTION  
EMPLOYMENT SUPERVISORY AUTHORITY OF THE BOARD OF TRUSTEES OVER THE  
PRESIDENT OF SUNY NIAGARA**

WHEREAS, New York State Education Law Section 6306, specifies that SUNY Niagara shall be administered by a board of trustees; five appointed by the local legislative body or board, four by the governor, and one elected from the student body; and

WHEREAS, the SUNY Niagara Board of Trustees shall appoint a president for the college, subject to approval by the state university trustees; and

WHEREAS, the SUNY Niagara Board of Trustees may enter into any contract or agreement deemed necessary or appropriate for the effective operation of the college, including, but not limited to, the employment contract with the president; and

WHEREAS, the responsibility and the authority to conduct the annual performance evaluation of SUNY Niagara president and to amend the terms of their contract rests entirely with SUNY Niagara Board of Trustees;

NOW, THEREFORE BE IT RESOLVED, that the SUNY Niagara president's performance appraisal, performance evaluation or performance review, and terms and conditions of their employment contract can only be influenced by, altered, or amended via negotiations between the president and the Board of Trustees at SUNY Niagara.

It was moved by Trustee Haylett, Jr., and seconded by Trustee Smith to approve the Resolution – Employment Supervisory Authority of the Board of Trustees Over the President of SUNY Niagara as presented. All in favor. Motion carried unanimously.

### **GOOD & WELFARE**

None at this time.

The next board meeting will be on Tuesday, November 19, 2024, starting at 4:30 p.m.

It was moved by Trustee Ross and seconded by Student Trustee Fleming, Jr., to adjourn at 6:35 p.m. Motion carried unanimously.

Barbara Walck  
Assistant to the President