

DUTCHESS COMMUNITY COLLEGE
Minutes
Board of Trustees Meeting
October 24, 2023

Trustees Present: Mr. Michael Francis Dupree, Chair; Mr. Frank Castella, Mr. Stephen Caswell, Ms. Darrah Cloud, Ms. Angela Flesland, Ms. Lisa Gharthey Mr. Ibis Guzman, Ms. Evelyn Panichi, Ms. Linda Pratt, Ms. Maya Chinkan and Dr. Peter Grant Jordan President

Absent: None

I. The meeting was called to order at 7:31 p.m. by Chairperson Dupree.

II. Ms. Pratt led the Pledge of Allegiance.

III. Roll Call by Ms. Ponticello, quorum present.

IV. Approval of Agenda:

Upon motion made by Mr. Castella, seconded by Mr. Guzman, voted on and duly carried.

V. Public Comment

There were no requests to address the Board.

VI. Consideration of Minutes of Meeting held on October 24, 2023:

Upon motion made by Mr. Caswell seconded by Ms. Flesland, voted on and duly carried, the minutes were approved as distributed.

VII. COMMITTEE REPORTS

Chairperson Dupree noted for the minutes that all of the resolutions that are presented to the Board for approval are reviewed and discussed at committee meetings prior to the Board meeting.

A. Academic and Student Affairs Committee (Lisa Gharthey, Chair)

Ms. Gharthey provided the Board with a summary of items discussed at the last Academic and Student Affairs Committee held on October 10, 2023.

1. Approval of the Professional Service Alliance (PSA) Bylaws (Res # 2024-15)

L. Gharthey offers the following resolution and moves its adoption:

WHEREAS, a complete review of the initial Bylaws for the Professional Service Alliance was conducted, and

WHEREAS, based upon this review, revisions to the Bylaws were recommended and adopted, and

WHEREAS, the members of the Board reviewed the updated Bylaws and concurred with the recommendation to officially accept the Professional Service Alliance as part of the governance structure of the College, now, therefore, be it

RESOLVED, that the Professional Service Alliance, the Bylaws of which is attached to this resolution and shall be made a part of the official minutes of this meeting is hereby approved as a governance body of the College, and shall be effective immediately.

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Seconded by D. Cloud

Motion Carried Unanimously

B. Board Policy (I. Guzman, Chair)

Mr. Guzman provided the Board with a summary of items discussed at the last Board Policy Committee meeting held on October 11, 2023:

1. Approval of the Reaffirmation of the Reaffirmation of Firearms and Weapons Policy (Res #2024-16)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review, the Policy Committee has determined that the policy on Firearms and Weapons should be reaffirmed and remain in effect, now, therefore be it

RESOLVED, that, based upon the recommendations of the Policy Committee, the aforementioned policy on Weapons and Firearms is hereby reaffirmed and is to remain in effect, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within

five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by L. Pratt

Motion Carried Unanimously

2. Approval of the Reaffirmation of the Sustainability Policy (Res # 2024-17)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review, the Policy Committee has determined that the policy on Sustainability should be reaffirmed and remain in effect, now, therefore be it

RESOLVED, that, based upon the recommendations of the Policy Committee, the aforementioned policy on Sustainability is hereby reaffirmed and is to remain in effect, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by A. Flesland

Motion Carried Unanimously

3. Approval of the Reaffirmation of the College Sponsored Student Travel Policy Policy (Res # 2024-18)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, in keeping with good governance practices, the Board of Trustees Policy Committee reviews Board and College administrative policies on a regular basis, and

WHEREAS, based upon this review, the Policy Committee has determined that the policy on College Sponsored Student Travel should be reaffirmed and remain in effect, now, therefore be it

RESOLVED, that, based upon the recommendations of the Policy

Committee, the aforementioned policy on College Sponsored Student Travel is hereby reaffirmed and is to remain in effect, and be it

FURTHER RESOLVED, that the Board reconsider this policy again within five years or earlier should it be determined revisions are needed prior to the scheduled review date.

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Seconded by L. Pratt

Motion Carried Unanimously

4. Approval to Open a Public Hearing: Remote Meetings Under Extraordinary Circumstances Policy (Res # 2024-19)

I. Guzman offered the following resolution and moved its adoption:

BE IT RESOLVED that, as recommended by the President of the College, the Board of Trustees opens a public hearing to review resolution # 2024-21 on Remote Meetings Under Extraordinary Circumstances.

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Seconded by L. Pratt

Motion Carried Unanimously

5. Approval to Close a Public Hearing: Remote Meetings Under Extraordinary Circumstances Policy (Res # 2024-20)

I. Guzman offered the following resolution and moved its adoption:

BE IT RESOLVED the Board of Trustees closes the public hearing on resolution # 2024-21 on Remote Meetings Under Extraordinary Circumstances.

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Seconded by L. Pratt

Motion Carried Unanimously

6. Approval to Close a Public Hearing: Remote Meetings Under Extraordinary Circumstances Policy (Res # 2024-21)

I. Guzman offered the following resolution and moved its adoption:

WHEREAS, by passing Chapter 56 of the Laws of 2022 (“Chapter 56”) and Chapter 58 of the Laws of 2023 (“Chapter 58”), the New York State Legislature amended Section 103 of the Open Meetings Law; and

WHEREAS, Chapter 56 adds Section 103-a of the Open Meetings Law, permitting the Board of Trustees to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the Board of Trustees to adopt a resolution following a public hearing authorizing the limited use of videoconferencing under such circumstances; and

WHEREAS, Section 103-a(2) allows for hybrid meetings by requiring “that a minimum number of members are present to fulfill the public body’s quorum requirement in the same physical location or locations where the public can attend,” and Chapter 58 amended Section 103-a(2)(c) to provide that a public body may determine to “allow for any member who has a disability as defined in section two hundred ninety-two of the executive law, where such disability renders such member unable to participate in-person at any such meeting location where the public can attend, to be considered present for purposes of fulfilling the quorum requirements for such public body at any meetings conducted through videoconferencing pursuant to this section, provided, however, that the remaining criteria set forth in this subdivision are otherwise met; and provided, further, that the public body maintains at least one physical location where the public can attend such meeting;” and

WHEREAS, Section 103-a(2)(c) requires that members be physically present at any such meeting “unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances . . . including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting”; and

WHEREAS, in accordance with Section 103-a(2)(d), any members attending by videoconference must, except during executive session, be “heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon”; and

WHEREAS, Section 103-a(2)(g) requires that any meeting where a member attends by videoconference be recorded, posted to the Board of Trustees webpage within five business days, and transcribed upon request; and

WHEREAS, Section 103-a(2)(h) requires that members of the public be permitted to attend and participate, if authorized, in any meeting by videoconference when a member attends by videoconference.

BE IT RESOLVED, that the Board of Trustees authorizes its members who experience an extraordinary circumstance, as described above and further defined by any rules or written procedures later adopted, to attend meetings by videoconference: (i) as long as a quorum of the members

attend in-person at one or more locations open to the public, provided that a member with a disability may be considered present for purposes of fulfilling quorum requirements, pursuant to Section 103-a(2)(c); (ii) as long as the member can be seen, heard, and identified while the open portion of the meeting is being conducted; and (iii) as otherwise permitted under Chapter 56 of the Laws of 2022 and Chapter 58 of the Laws of 2023; and be it further

RESOLVED, that the Board of Trustees shall create written procedures further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022 and Chapter 58 of the Laws of 2023.

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Seconded by L. Pratt

Motion Carried Unanimously

C. Finance & Facilities (S. Caswell, Chair)

Mr. Caswell provided the Board with a summary of items discussed at the last Finance & Facilities Committee meeting on October 16, 2023.

1. Approval of the Amended Dutchess Educational Health Insurance Consortium Trust Agreement (Res # 2024-22)

S. Caswell offered the following resolution and moved its adoption:

WHEREAS, Board of Trustees' Resolution #15, dated October 17, 1988, authorized the College to participate in the Dutchess Educational Health Insurance Consortium (DEHIC), and

WHEREAS, the Board of Trustees has approved subsequent Trust Agreements that permit the College to remain a member of the Consortium, and

WHEREAS, the Board of Trustees of DEHIC has approved a revised Trust Agreement to clarify certain provisions in the original Trust Agreement and ensure the continued effective operation of DEHIC, and

WHEREAS, participants are required to approve the amended Trust Agreement, now, therefore, be it

RESOLVED, that Dutchess Community College hereby agrees to the amendment of the DEHIC Trust Agreement, as proposed by DEHIC's Board of Trustees, to be effective January 1, 2024, and be it

FURTHER RESOLVED, that Dr. Peter Jordan, President, is hereby authorized to execute the attached Amended Trust, which shall be made part of the minutes of this meeting, and be it

FURTHER RESOLVED, that a certified copy of this resolution shall be sent, along with the executed Trust Agreement, to DEHIC.

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Seconded by L. Pratt

Motion Carried Unanimously

D. Personnel & Community Relations (A. Flesland, Chair)

Ms. Flesland provided the Board with a summary of items discussed at the last Personnel & Community Relations Committee meeting held on October 12, 2023.

1. Approval of the Unpaid Parental Leave for Employee # A00293141 (Res #2024-23)

A. Flesland offered the following resolution and moved its adoption:

WHEREAS, Employee # A00293141, has requested a leave of absence in compliance with Section 5.12 and 5.14 of the 2020-2025 collective bargaining agreement with Dutchess United Educators, and

WHEREAS, Employee # A00293141 will use 40 days of Paid Parental Leave, 30 days of Benefit time (vacation and personal time) and the remaining leave will use unpaid parental leave totaling 365 days of leave time, and be it

RESOLVED, that, based upon the recommendation of the President of the College, the Board of Trustees hereby grants Employee # A00293141 a one-year, non-renewable leave of absence.

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Seconded by E. Panichi

Motion Carried Unanimously

2. Approval of the Retroactive Payment for Dr. Peter Jordan (Res # 2024-24)

A. Flesland offered the following resolution and moved its adoption:

WHEREAS, salaries for management/confidential employees have been determined for 2022-2023, and

WHEREAS, the President of Dutchess Community College falls under the category of management/confidential employee, and

WHEREAS, the President of Dutchess Community College has not had a salary increase for the 2022-2023 fiscal year now, therefore, be it

RESOLVED, that for the 2022-2023 fiscal year, the President's salary shall be retroactively increased by the same rate as management/confidential employees effective September 1, 2022.

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Seconded by F. Castella

Motion Carried Unanimously

VIII. Report of the Student Trustee

Ms. Chinkan reported on upcoming student events and activities for the month of October.

IX. Report of the Chairperson

Chairman Dupree highlighted college-wide activities for the month of October 2023.

X. Report of the President.

President Jordan reported on being joined by the SUNY Chancellor on September 30, 2023 at the DCC Suicide Prevention Walk across the Hudson.

President Jordan reported on the EMS/Paramedic Program and their successful Commission on Accreditation of Allied Health Education Programs visit on October 16th and 17th.

President Jordan reported on the Retiree Reception on October 20th. The College celebrated the recognition of service with former employees that retired in the last four years.

President Jordan reported on the Aviation Open House and the Bank Tank events which were hosted by the College on October 24th.

XI. Other Business

There was none.

XII. Date of Next Meeting

The next meeting of the Board of Trustees will be held on December 5, 2023 at 6:30 p.m.

XIII. Adjournment

There being no further business to discuss, a motion was made by Mr. Castella, seconded by Ms. Flesland, voted on, and duly carried, to adjourn the meeting. The meeting adjourned at 8:07 p.m.

Respectfully submitted,

Joia Ponticello
Executive Assistant