Old Business
Review September 2014 Education & Planning Committee minutes
No discussion

New Business
Workforce Development update
Dr. Risser introduced Lynn Freid, Director of Workforce Development, who collaborated with regional employers to develop a new non-credit mechatronics program. Ms. Freid stated that employers have expressed an urgent need for skilled workers as industrial-mechanical operators, automation operators, electrical-mechanical operators, fabricators, welders and assemblers. She provided an overview of the twelve week training program curriculum, advisory board membership, and certifications that students can earn. Twelve students are enrolled in the current twelve week training program, and program capacity is fifteen students. Another training program begins on February 16, 2015.

Students who wish to participate in the program must attend an orientation program prior to admission and meet the following criteria: be 18 years of age, possess an earned high school diploma or GED, and have a valid New York State driver’s license.

Discussion followed regarding the possibility of increased capacity to meet demand and readily available entry level jobs that include benefits packages.

Culinary program: Dinner at Julia
Dr. Risser introduced Professor Jamie Rotter who developed a capstone practicum titled “Dinner at Julia” in collaboration with AVI, the College’s food service vendor. The restaurant will be open during the academic year on selected Friday evenings in Stage 14 at the Canandaigua campus. Professor Rotter explained that FLCC partners with the New York Wine and Culinary Center (NYWCC) where students receive hands on training in food service. However, there are more students enrolled in the program than the NYWCC has the capacity to handle. As a result, the “Dinner at Julia” restaurant nights were developed to provide students with real time restaurant experience. Fourteen to eighteen culinary arts students participate in the practicum per semester and rotate through all positions associated with operating a restaurant. Professor Rotter stated that the goal is to serve forty to sixty dinners per evening over two seating times. Excellence in customer service is stressed, and guests complete comment cards that are shared with the students at the end of the evening.
Trustee Blazey asked if the students plan the menus and if the college operating budget funds the program. Professor Rotter explained that the students do plan the menus and AVI donates all the food, so there is no expense to the College.

Professor Rotter introduced Kyle Cronin, a second year FLCC student in the Culinary Arts program, who shared positive comments on the benefits of participating in the “Dinner at Julia” experience. He provided trustees with an overview of topics covered in classes, the benefits of having hands-on experience in operating a restaurant through the “Dinner at Julia” practicum, and some of the challenges, including learning how to make the various menu choices using recipes, and mastering each job in the restaurant.

Professor Rotter stated that the restaurant dates are listed on the FLCC public website. Trustees requested that Karen Hopkins email them the list of dates. Also, Professor Rotter informed trustees that dietary requirements can be accommodated.

**Student Code of Conduct revisions**
Provost Fragnoli provided an overview of the proposed revisions to the Student Code of Conduct. She noted that substantive changes include the addition of student advocate and Good Samaritan clauses. Discussion followed about ensuring compliance with federal and SUNY regulations, and whether review by legal counsel is required. Dr. Risser explained that previous Student Code of Conduct documents have been reviewed by legal counsel and that new language included in the current document has been taken directly from the Office of Civil Rights and SUNY regulations and policies. In response to a question from Trustee Sheppard, Dr. Risser asked trustees to forward any suggested revisions electronically to Karen Hopkins.

**Resolutions**
None at this meeting

**Updates**
None at this meeting

There being no further business, at 5:18 p.m., on motion by Trustee Sheppard and second by Trustee Geise, the FLCC Board of Trustees Education & Planning Committee adjourned.

Prepared by, Submitted by,
Karen A. Hopkins Trustee Karen Davison Blazey
Assistant Secretary of the Board Chair, Education & Planning Committee

*Next meeting: Wednesday, November 5, 2014; 4:30 p.m.; Carpenter Board Room*

**Trustee committee members**
Dr. Karen Blazey, Joan Geise, John Hicks, John Sheppard, Gabrielle Wilkins

**FLCC staff liaisons**
Grace Loomis, Kristen Fragnoli, Carol Urbaitis
At 5:18 p.m., Trustee DeVaney called the FLCC Board of Trustees Finance & Facilities Committee meeting to order.

**Old Business**

Review September 2014 Finance & Facilities Committee minutes
No discussion

**New Business**

**FLCC 2014-2015 operating budget**
Mr. Fisher reported that 8.3% of the budget year has been completed, and provided an overview of revenues and expenses to date.

**FLCC 2013-2014 operating budget**
Mr. Fisher presented an overview of the following financial reports:
- Unaudited FLCC 2013-14 operating budget revenues and expenditures summary as of August 31, 2014
- Unaudited FLCC 2013-14 operating budget revenue and expense comparison to prior year as of August 31, 2014
- Unaudited FLCC 2013-14 operating budget ending fund balance

Mr. Fisher recommended that $500,000 be transferred to the strategic plan reserve fund approved by trustees at their May 2014 meeting. There were no objections from trustees to this recommendation.

**Resolutions**

**Approve an amendment to the 2015 Capital Improvement Plan**
Mr. Fisher reported that it is necessary to amend the 2015 Capital Improvement Plan to add an additional $800,000 to the HVAC line for work in the Fine Arts department (total HVAC: $950,000), which will be split equally between the local and state share. The 2015 Capital Improvement Plan will also be amended to add an additional $150,000 for the main building first floor restrooms, which will be funded as follows: the 50% local share will be paid by Finger Lakes Community College and the remaining 50% will be paid by New York State. College and County officials have collaborated on and recommend approval of this amendment.

**Approve sanitary sewer redesign & replacement**
Mr. Fisher reported that the current sanitary sewer lift station has design flaws that have caused several failures resulting in costly repairs. The new proposed design and construction will alleviate these problems and will result in a
more efficient system that is cost effective and will allow for more effective operation and maintenance. The total cost of this project is $200,000, which will be funded 50% by Ontario County and 50% by New York State.

**Approve phase one of the parking & utility rehabilitation project**
Mr. Fisher reported that the G Lot parking area is well beyond its useful life and has experienced major failures, including a sinkhole. The proposed project, which will be phased in over five years, will upgrade utilities under the parking lot, totally resurface the area and provide proper lighting and parking lines. The total cost of phase one of this project is $200,000, which will be funded 50% by Ontario County and 50% by New York State.

**Accept a gift in kind: Furniture for the FLCC Viticulture Center**
Mr. Fisher presented this resolution to accept a gift of office furniture for the FLCC Viticulture Center from CCN International, Inc. in Geneva, New York.

**Updates**

**Facilities – Mr. Fisher**
Geneva Campus Center – the deadline to submit bids is October 7, 2014; a request has been submitted to SUNY for an additional $2M and Mr. Fisher will prepare a resolution to accept these funds, if necessary.

FLCC Viticulture Center – the exterior of the structure has been completed and the project is on track for completion in December 2014.

Phase 1B – Trustees will soon receive an invitation to the music recording studio open house scheduled on October 30, 2014.

There being no further business, at 5:37 p.m., on motion by Trustee Mihalik and second by Trustee Blazey, the FLCC Board of Trustees Finance & Facilities Committee meeting adjourned.

Prepared by,                     Submitted by,
Karen A. Hopkins            Trustee James DeVaney
Assistant Secretary of the Board            Chair, Finance & Facilities Committee

*Next meeting: Wednesday, November 5, 2014; Carpenter Board Room; immediately following the Education & Planning Committee meeting*

**Trustee committee members**
James DeVaney, Donald Cass, Barbara Hamlin, Stephen Martin, Donna Mihalik

**FLCC staff liaisons**
James Fisher, Joseph Delforte
Finger Lakes Community College Board of Trustees  
Wednesday, October 1, 2014  
Presiding: Trustee M. Joan Geise, Chair

Trustees Present: Dr. Karen Blazey, Donald Cass, James DeVaney, Joan Geise, Barbara Hamlin, John Hicks, Stephen Martin, Donna Mihalik, John Sheppard, Gabrielle Wilkins

Trustees Excused: all present at this meeting

Staff Present: Dr. Barbara Risser, Joseph Delforte, James Fisher, Kristen Fragnoli, Lenore Friend, Karen Hopkins, Milton Johnson, Grace Loomis, Mary McLean-Scanlon, Dr. Joseph Nairn, Amy Pauley, John Taylor, Carol Urbaitis

Guest: Aaron Curtis, Daily Messenger

At 6:00 pm, Trustee Geise called the FLCC Board of Trustees meeting to order.

Privilege of the Floor
No speakers at this meeting.

Approval of the Consent Agenda
Trustee Geise called for a motion to approve the August 26, 2014 special Education & Planning Committee minutes. On motion by Trustee Martin and second by Trustee DeVaney, the FLCC Board of Trustees unanimously approved the August 26, 2014 special Education and Planning Committee meeting minutes.

Trustee Geise called for a motion to approve the September 3, 2014 Board of Trustees committee & regular meetings minutes. On motion by Trustee Mihalik and second by Trustee Sheppard, the FLCC Board of Trustees unanimously approved the September 3, 2014 Board of Trustees committee & regular meetings minutes.

Chair’s Report
Resolution in memory of John C. Britting
Trustee Geise presented the following resolution for consideration to honor the memory of John C. Britting, Esq. who passed away on September 8, 2014.

IN MEMORY OF
JOHN C. BRITTING, ESQ.

WHEREAS, John C. Britting was a founding member of the CCFL/FLCC Board of Trustees; and

WHEREAS, Mr. Britting served as a trustee from 1965 – 1998, thus making him the longest serving member of the CCFL/FLCC Board of Trustees at thirty-three years; and

WHEREAS, during his tenure as a trustee, Mr. Britting served as Chair of the Personnel Committee (1981-81 and 1984-85) and Chairman of the Board (1969-70 and 1977-79); and

WHEREAS, Mr. Britting was given the distinction of Trustee Emeritus on May 18, 1998; and

WHEREAS, Mr. Britting’s numerous community activities included serving on the Phelps Board of Education, service as a member of the Phelps Rotary Club and the Phelps Historical Society, and volunteer service at the Phelps Library and Literacy Volunteers; and

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WHEREAS, Mr. Britting’s exemplary service to CCFL/FLCC, its students and higher education in the Finger Lakes region continues to serve as a model for all present and future members of the Board;

NOW, THEREFORE BE IT RESOLVED, that the Finger Lakes Community College Board of Trustees honors the memory of John C. Britting, Esq. who passed away on September 8, 2014.

On motion by Trustee Sheppard and second by Trustee Blazey, the FLCC Board of Trustees unanimously approved the aforementioned resolution.

October 24, 2014 Board retreat
Trustee Geise reminded trustees that the retreat will be held on Friday, October 24, 2014 from 8:30 am to noon in the Carpenter Board Room. She asked trustees to submit suggested agenda items to Karen Hopkins as soon as possible.

President’s Report
Persistence Task Force update
Dr. Risser provided an overview of the Persistence Task Force membership, charge and efforts to date. Task Force co-chairs are Michael Fisher, Director of the One Stop Center, and Warren White, Professor of Communications. The task force will prepare a short term action plan, due November 15, 2014, to include new initiatives, expansions of exemplary current practice, or changes in current practice that show promise, require minimal new resources and can be implemented quickly to support 2014-15 new students. A long term action plan, due April 15, 2015, will include a variety of new initiatives, expansions of exemplary current practice, or changes in current practice which will require longer planning time to implement. Options included in the action plans that require additional resources will be brought to the Board of Trustees for consideration of funding from the Board-designated fund for first year student persistence.

Civil Rights Compliance Review (CRCR) update
Dr. Risser provided an update on the status of FLCC preparations in advance of the lead reviewer visit on October 23, 2014. She stated that the College’s Title IX documents are currently under review by the Ontario County Attorney and SUNY officials, and that additional required documentation is being compiled for submission by October 17, 2014 to the NYS Postsecondary Civil Rights Compliance Coordinator. Dr. Risser advised the Board that the College may need to hire an architect to help prepare some of the required documentation.

Dawn Hess is chairing the CRCR Steering Committee which has been divided into three teams. They are:

Facilities: Cathy Ahern, Tom Harvey, Sherman Manchester, Bob Johnston
- Completing map and tour route for C3 demonstrating a new and older laboratory and classroom and a restroom
- Completing labeling on map of all entrances, restrooms, years of building/renovation, accessibility standards used

Grievance/Policy: Grace Loomis, Kristen Thorsness, Norah Nolan-Cramer, Sarah Whiffen
- Completed list of grievances for the last three years
- Compiled grievance policies and procedures for civil rights related discrimination complaints

Demographics (due December 2014): Bonnie Ritts, Susan Romano, Deb Olsen, Grace Loomis, Andrew Baker, Corrine Canough, Michael Merriman, Paul Bailey
- Completing demographic data request
The college community understands that this review is a priority and is collaborating with steering committee members to comply with the stated requirements and timelines. Dr. Risser will provide an update on the October 23, 2014 lead reviewer visit at the November 5, 2014 Board of Trustees meeting.

**SUNY Campus Assessments/Recharges & NY CCT conference report**

Dr. Risser shared a letter from NYS Senator Kenneth LaValle, Chairman of the Committee on Higher Education, to Chancellor Zimpher and H. Carl McCall, Chairman of the SUNY Board of Trustees. In his letter, Senator LaValle questions the legality and appropriateness of the new assessment to be levied on SUNY campuses, and community colleges specifically, to offset a System Administration budget gap of approximately $5.7M, or twenty percent of its operating budget.

Dr. Risser reported that the New York Community College Association of Presidents (NYCCAP) has discussed options regarding the best course of action. A straw poll was taken, and by a slim margin, the group recommends paying for the first year only with specific criteria stated in writing. A Memorandum of Understanding for each community college has been drafted by several presidents, including Dr. Risser, to SUNY and the Chancellor that states in part:

*WHEREAS, the community college presidents and New York State Community College Trustees (NYCCT) wish to assist SUNY through this fiscal challenge, AND;*

*WHEREAS, SUNY has agreed to participate in comprehensive and meaningful dialogue with the community college presidents and NYCCT throughout the year for which this agreement is reached, therefore be it;*

*RESOLVED, that XXX Community College agrees to a one-year fiscal arrangement to support SUNY in which XXX Community College will pay SUNY $XXXX in order to assist with its fiscal concerns, and be it further:*

*RESOLVED, that during the year for which this agreement is reached, SUNY, the community college presidents, and NYCCT shall strive to reach a resolution to said SUNY fiscal shortfall that is mutually agreeable to SUNY, the community colleges, and the NYCCT leadership, and further be it;*

*RESOLVED, that this one-year agreement shall not set a precedent for any future payments without a specific agreement in place between SUNY and XXX Community College.*

A meeting will be held on October 10, 2014 of the NYCCAP and NYCCT executive committees to discuss the proposed SUNY campus assessments. Dr. Risser expressed hope that the letter from Senator LaValle would have a positive impact on the future of the campus assessment/recharge initiative approved by the SUNY Board of Trustees. She noted that Niagara Community College enlisted the services of a law firm with expertise in higher education law to research the legal aspects of this assessment which, according to State education law, may not be legal for community colleges.

The FLCC Board of Trustees reached consensus not to change their course of action in opposition to SUNY’s decision to impose campus assessments.

Trustee Mihalik reported on discussion at the September 2014 NYCCT annual conference:

- In general, the NYCCT leadership is angry about the imposition of the financial assessments on community colleges.
- The general opinion of trustees present at the conference is resignation to the imposition of the assessments.
- Trustees generally agree that the best course of action is to comply with paying for first year and revisit the issue. Trustees discussed the concept of ‘systemness’ and are of the impression that the campus assessments will become a reality.
Discussion among FLCC trustees followed regarding the legality of the assessment, and the opportunity for constituencies and students to respond to the proposed assessment.

Trustee Hamlin suggested that the Board approve a resolution to make the trustees’ position in opposition to the financial assessment official. Mr. Fisher commented on the financial impact of the proposed assessment on local sponsors’ budgets and agreed to send Trustee Sheppard the list of other counties that have taken action to oppose implementation of the SUNY assessments.

Trustee Mihalik stated that trustees attending the NYCCT conference expressed their concern that community colleges who do not agree with or go along with the assessment initiative will fall out of favor with SUNY and may suffer retaliation. Dr. Risser stressed the importance of community colleges speaking with one voice and, currently, there are at least five community colleges that are refusing to pay a one year SUNY assessment, including FLCC. Other community colleges speaking out in opposition include Niagara, North Country, Rockland and Fulton-Montgomery. The opposition is based on principle because community colleges are locally controlled. The proposed recharges/assessments are currently imposed on the state-operated campuses. In addition, the state-operated campuses are required to submit any newly generated revenue to SUNY administration. Trustees asked Chairman Geise to contact Cynthia Demarest, NYCCT executive director, to express the Board’s opinion that the SUNY assessment of community colleges is not legal according to New York State Education Law.

Trustee Hamlin made a motion to support the position of Senator LaValle with a second by Trustee Cass citing “serious reservations about System Administration’s authority to levy the assessment on community colleges.”

Discussion: trustees expressed serious reservations about the legality of SUNY’s intent to levy financial assessments on community colleges. Trustee Sheppard suggested amending Trustee Hamlin’s motion to express support of the President’s actions in opposition to the assessments. Trustee Hamlin agreed to the amendment of her original motion.

On motion by Trustee Sheppard and second by Trustee Mihalik, the FLCC Board of Trustees unanimously approved an amendment to Trustee Hamlin’s original motion as previously stated.

Trustee DeVaney made a motion to support the FLCC President’s actions in opposition to the SUNY financial assessment of community colleges. This motion received a second by Trustee Blazey. There being no further discussion, the FLCC Board of Trustees unanimously approved the motion to support the FLCC President’s actions in opposition to the SUNY financial assessment of community colleges.

NYCCT regional workshop
Dr. Risser reported that several trustees have expressed interest in hosting a regional workshop at FLCC. The workshop would be scheduled from Thursday at noon to Friday at 2:00 pm, and include sessions for new and veteran trustees. Dr. Risser asked that trustees interested in planning this workshop contact her.

Committee Reports
Education & Planning Committee: Trustee Blazey
There are no resolutions to present for action at this meeting.

Finance & Facilities Committee: Trustee DeVaney
Trustee DeVaney requested a motion to approve the resolutions discussed at the Finance & Facilities committee meeting as a block. On motion by Trustee Sheppard and second by Trustee Blazey, the FLCC Board of Trustees unanimously approved moving these resolutions as a block.
Trustee DeVaney requested a motion to approve the following resolutions as a block: 1) Approve an amendment to the 2015 CIP, 2) Approve sanitary sewer redesign & replacement, 3) Approve phase one of the parking & utility rehabilitation project, and 4) Accept a gift in kind: FLCC Viticulture Center furniture.

On motion by Trustee Mihalik and second by Trustee Blazey, the FLCC Board of Trustees unanimously approved the aforementioned resolutions as a block.

Trustee Liaison Reports

FLCC Association: Trustee Hamlin
The FLCC Association Board of Directors met on September 23, 2014. The agenda included discussion of the 2014-2015 action items related to student housing, the bookstore, the child care center, and auxiliary services.

FLCC Foundation: Trustee Geise
Trustee Geise will have a report at the November 5, 2014 Board meeting.

FLCC Projects Committee: Trustees Blazey, DeVaney
Trustee Blazey reported that a new plumbing contractor has been hired for the Geneva Campus Center who will meet the project deadline.

FLCC Student Corporation: Trustee Hamlin
No report

Student Perspective: Trustee Wilkins
Trustee Wilkins reported that the start of the fall semester has been very busy. She is hearing students make positive comments on new initiatives, including the AVI cart located in the library, and the science incubator. Trustee Wilkins has spoken with a few students about the tobacco free initiative, and reported that many students are not opposed to a smoke-free campus. Students don’t appreciate having to walk through the smoking area in front of the main entrance and use the library entrance to avoid breathing in second hand smoke. She also reported many people don’t abide by the e-cigarette ban in the buildings.

There being no further business, at 6:51 pm, on motion by Trustee Sheppard and second by Trustee Martin, the FLCC Board of Trustees meeting adjourned.

Prepared by, Submitted by,
Karen A. Hopkins Trustee M. Joan Geise
Assistant Secretary of the Board Chair, FLCC Board of Trustees

Board retreat: Friday, October 24, 2014; 8:30 am – noon; Carpenter Board Room

Next meeting: Wednesday, November 5, 2014, immediately following the Finance & Facilities Committee meeting Carpenter Board Room
At 8:30 am, Trustee Geise called the FLCC Board of Trustees retreat to order.

**Strategic Plan dashboard**

Dr. Risser introduced Mary McLean-Scanlon, Director of Institutional Effectiveness, and Dr. Debora Ortloff, Coordinator of Academic Assessment and Assistant Professor of Social Sciences.

Ms. McLean-Scanlon and Dr. Ortloff shared a PowerPoint presentation that covered in depth the goals of the strategic plan, including measures and methodology and how the goals will be implemented and achieved through the annual performance evaluation process, baseline data and targets, targeted interventions (Board-approved strategic plan projects), an overview of division master plans that are aligned with the strategic plan, the Institutional Effectiveness Dashboard, and the implementation and benefits of Chalk & Wire assessment software.

Discussion between the presenters and trustees occurred throughout the presentation. Trustees indicated that they would like to visit the science incubator before convening the November Board of Trustees meetings.

Dr. Risser informed trustees that Ms. McLean-Scanlon has undertaken a tremendous amount of responsibility over the past year, and that at their November meeting, she will be asking trustees for approval of a new position to support the work of the Institutional Effectiveness office.

**Management Confidential Plan**

Trustees Blazey and DeVaney co-chaired the ad hoc committee, which included Trustee Sheppard.

Consensus was reached on the following committee recommendations:

1) Continuation of 2% contribution
2) Alignment of vacation time with the County MC plan
3) Enhancement of tuition assistance: $5,000 per year for four years
4) Longevity compensation clause denied
5) Teaching policy – approved

Longevity: Dr. Risser reminded trustees that previous discussions of this issue focused on providing the College President with a lump sum to distribute at his/her discretion to recognize worthy performance. Mr. Fisher affirmed that the operating budget could accommodate the allocation of these funds for the stated purpose. Dr. Risser stated that merit pay is based on Strategic Plan performance, and not every management confidential employee would receive merit pay each year.

Trustee Sheppard asked for a historical perspective on the amount available for allocation in past years. Mr. Fisher explained that the amount varies from year to year and in some years there were minimal funds available. He noted
that merit pay is added to the employee’s base salary and that the College has no other financial compensation or award program. Trustee Sheppard suggested that because merit pay constitutes use of public funds that non-monetary means of compensation/recognition be utilized. He stated that employees should be willing to work for their stated salary with no expectation of additional financial compensation.

Trustee Martin prefers merit pay to bonus pay because merit pay is linked directly to employee performance. He also stated that he is comfortable with adding merit pay to the base salary.

Trustee Hicks agrees with the merit pay concept but does not agree with adding it to the base salary. He stated that if an employee is continuously asked to go beyond his/her job description then consideration should be given to reclassifying the position.

Dr. Risser confirmed that merit pay, which has been in effect for 6-7 years, applies to a small group of people, and there have been no negative effects on employee morale.

Discussion followed regarding the precedent of merit pay being added to base salary. Trustee Sheppard stated that the Board needs to consider the cumulative effect of the entire group over time on the operating budget. He opposes adding merit pay to base salaries, however, he is not against merit pay.

Mr. Fisher noted that management confidential employees belong to a non-bargaining unit that serves at the discretion of the president. In every bargaining unit there is a step process that amounts to an average salary increase of $3,000-$4,000 annually. He stated that FLCC is not in a competitive position regarding a benefits package for management confidential employees, and the College will not retain high quality employees over the long term. Trustee Hicks commented that steps are intended for the lowest paid employees and are not a good comparison to management confidential compensation.

Trustee Sheppard stated that there needs to be a comparison with county management confidential employees’ compensation, which he affirmed is more than adequate. Discussion followed about FLCC’s position when competing with other higher education institutions for high quality employees.

Trustee Martin stated that from a retention/investment perspective, he supports the president awarding merit pay on an annual discretionary basis and adding this compensation to the employee’s base salary.

Trustee Hamlin expressed her support for Trustee Martin’s comments. She stated that the twenty-three people in the management confidential class are extraordinary employees who perform their job responsibilities exceptionally well. The Board needs to support these employees by approving the proposed $10,000 annual merit pay fund. She noted that more than $10,000 has been spent on the time discussing this issue.

Trustee Geise asked if support for the revised MC plan would enable FLCC to be more competitive and retain employees. Dr. Risser replied that recognition of exemplary work has not been viewed negatively by employees who do not receive a merit increase. Trustee Hicks suggested that the base salaries of MC employees be reviewed if retention is an issue. Trustee Blazey stated her support for a salary increase, however, she does not support a salary increase through merit pay added to the employee’s base salary.

Summary of the discussion
Consensus to support the concept of merit pay
Addition to base salary should equal an ongoing increase in responsibility and exemplary performance
Trustee Hamlin suggested a compromise by giving the president the discretion to make the decision regarding: 1) for one time exemplary performance, issue a separate check for merit pay; or 2) for continuous high performance, add merit pay to the employee’s base salary
Trustee Sheppard commented that the president could arbitrarily over time change the level of compensation for management confidential employees. He remained opposed to adding merit pay to base salary, and stated that if an employee’s performance remains high from year to year then consider reclassifying the position to increase the salary. Trustee Cass commented that future presidents could skew salaries by giving fewer employees larger merit pay added to the base. Trustee Martin commented that if the process over the past few years to add merit pay to base salary changes, then affected employees need to be informed. Discussion followed regarding the process to allocate the merit pay funds from the college’s operating budget.

**Add merit pay to base salary**
Support: Trustees Hamlin, Martin  
Opposed: Trustees Blazey, Hicks, Sheppard, Mihalik, Cass

**Allocate an annual $15,000 merit pay pool for distribution at the discretion of the president (not added to base salary):**
Support: Trustees DeVaney, Martin, Hamlin, Mihalik, Cass, Geise  
Opposed: Trustee Sheppard, Hicks

**Appointment, Evaluation and Reappointment**
Trustee Hicks expressed his opinion that management confidential employees should have the right to an appeal to allow trustees to 1) advise the president and 2) support the president.

Trustee Martin responded that micromanagement is not a role of the Board of Trustees. Appointment, evaluation and reappointment of management confidential employees is the sole responsibility of the president. Trustees are volunteers and not involved in the day to day operations of the college. Trustee Martin stated that he is not in support of an appeal process for management confidential employees.

Trustee Mihalik commented that it would be detrimental for a supervisor to fire an employee and have that employee rehired by a separate action. The role of the trustees is to support the person they hired to supervise the college – the college president. Trustee Mihalik stated that she is not in support of an appeal process for management confidential employees.

Dr. Risser stated that an appeal process is inappropriate and undermines the office of the president. She reminded trustees that the Board has one employee only.

Trustee Hicks strongly voiced his support for an appeals process for management confidential employees.

**Trustees who support management confidential employees serving at the sole discretion of the president:**
Hamlin, Mihalik, Blazey, Martin, Geise

Trustee Sheppard proposed an amendment: serves at the direction of the president subject to an appeal process  
Support for this amendment: Trustees Sheppard, DeVaney, Cass (Trustee Hicks left the retreat prior to the straw poll)

Mr. Fisher noted that the Management Confidential Plan is effective on September 1, 2014. He asked if the plan would be effective immediately or retroactive after approval by the Board. Trustee Martin asked for Mr. Fisher’s opinion, which is to make the Plan retroactive to September 1, 2014. Trustees concurred with Mr. Fisher’s recommendation.

**SUNY Recharge Update**
- Dr. Risser sent an Email to trustees after the 10-10-14 NYCCAP/NYCCT executive groups meeting  
- The Chancellor has agreed to meet with NYCCAP/NYCCT executive groups  
- Meeting has not scheduled
• Assessment bills will not be sent out until after this meeting occurs
• Per her response to Senator LaValle, the Chancellor is not going to change her mind about implementation of the recharges
• Trustee Sheppard requested permission from the Board to inform the BOS Gov. Ops. committee of the issues related to recharges

Dr. Risser commented that passing a resolution stating the Board’s position on recharges would be premature at this time. Trustees need to be well aware of the potential for retribution from SUNY if they oppose the recharges rather than pay the assessment bill. Trustee Martin expressed interest in fighting the assessment and stated that he would like to review the SUNY system administration line item budget. He stated that trustees have a fiscal responsibility to FLCC.

Discussion: the College and Board need to be tactical in responding to the assessments, develop a communication strategy, and identify our allies beyond other community colleges, i.e., sponsor, elected officials

Dr. Risser: college personnel will work strategically to identify key dates, allies, timeline, and a communications plan. A draft document will be shared at the November board meeting.

Trustee development
Dr. Risser communicated with Cynthia Demarest about the possibility of FLCC hosting a NYCCT regional conference in spring 2015. Cynthia expressed concern about the potential for competition with NYCCT’s annual fall conference held each September but would like to support some sort of conference in Western NY in the spring of 2015.

Dr. Risser asked trustees to consider areas where they would like professional development, such as bringing in an expert in a specific field, and/or the college president providing articles and information in Board packets. Trustee Geise will forward the newsletter emails she receives from NYCCT to the full board.

Current committee structure
Trustee Geise spoke with Trustee Hicks who suggested that the Board needs to spend more time in committee meetings to discuss/review information. Discussion followed about scheduling additional committee meetings on a bi-monthly basis.

Dr. Risser commented that trustees have the opportunity to call special meetings within the current meeting structure as appropriate and suggested adding a third Board retreat to the calendar.

Trustee Martin: how would additional meetings support the president and college? He would need justification before making a decision to support or oppose additional meetings and asked Dr. Risser to comment.

Dr. Risser commented that the current committee as a whole structure works well. She asked trustees to contact her if there are areas/topics that are perceived as not being covered. She suggested that trustees consider keeping current committee structure with the addition of a third retreat and call special meetings when significant issues arise. Dr. Risser stated that she is unsure of the problem that trustees are trying to solve by adding meetings to the calendar.

Executive Session
At 11:54 am, the Chairman of the Board of Trustees called for a motion to convene an Executive Session under the provisions of Section 105 of Article 7 of the Public Officers Law to discuss the employment history of a particular person. Following executive session, the FLCC Board of Trustees will not return to public session.

At 11:54 am, on motion by Trustee DeVaney and second by Trustee Sheppard, the FLCC Board of Trustees entered into executive session.
At 12:11 pm, on motion by Trustee Blazey and second by Trustee Mihalik, the FLCC Board of Trustees moved out of executive session.

At 12:11 pm, on motion by Trustee Blazey and second by Trustee Mihalik, the FLCC Board of Trustees retreat adjourned.

Prepared by,                                              Submitted by,
Karen A. Hopkins                                      M. Joan Geise
Assistant Secretary of the Board                    Chair, FLCC Board of Trustees

Spring retreat: April 15, 2015