

Hudson Valley Community College

80 Vandenburg Avenue, Troy, New York 12180

AGENDA

For the regular meeting of the Board of Trustees of Hudson Valley Community College to be held on Tuesday, January 28, 2025, at 5:00 p.m. or thereafter on the college campus, Guenther Board Room, 80 Vandenburg Avenue, Troy, New York and via remote meeting, with live stream for the public via the college website at hvcc.edu, the following matters are submitted for consideration and action.

STATE

Request is made for the approval of changes to the Academic Senate Bylaws, as recommended by the Academic Senate on December 16, 2024, and by the Officer-in-Charge on January 20, 2025. The

WHEREAS, the project will support the College's growing programs within STEM, including: automotive technology services, electrical construction and maintenance, heating/air conditioning/refrigeration technical services, and welding, among others; and

WHEREAS, the Board of Trustees of Hudson Valley Community College, at their meeting of August 22, 2023, approved the capital project entitled “Applied Technologies Education Center (ATEC) Phase II at a cost of \$53.5 million; and

WHEREAS, the Rensselaer County Legislature, via Resolution G/358/23, approved the project entitled "Applied Technologies Education Center (ATEC) Phase II at a cost of \$53.5 million; now therefore, be it

RESOLVED, that the Board of Trustees of Hudson Valley Community College, approves the contract awards for the capital project entitled, “Applied Technologies Education Center (ATEC) Phase II” as follows:

Storm Water Pollution Prevention Plan Services to Barber Engineering in the amount of \$9,000

ATEC Project Commissioning Services to Labella in the amount of \$64,886.67

Project Special Inspection Services to Atlantic Testing Laboratories in the amount of \$39,159

Approved by a vote of 8-0, with Mr. Pratt abstaining; resolution amended to change the amount of award to Labella. It was later discovered that the original amount was correct; a corrected resolution will appear on the February 25, 2025 agenda.

Action Taken

4. HVCC NORTH: REDESIGNATION OF USE OF FUND BALANCE

Request is made for ratification of the following resolution:

WHEREAS, during the 2022-2023 fiscal year, the College was in need of several upgrades to the facilities, technology and instructional equipment, in the amount of \$6,015,092.00, and

WHEREAS, at an inform it

WHEREAS, after further consultation with our industry partners, including GlobalFoundries and other advisory board members, it was determined that a renovated clean room is not essential to meet current or future training needs; and

WHEREAS, nursing programs are now recognized as a critical priority on the HVCC North campus; and

WHEREAS, the clean room space in TEC-SMART has been identified for repurposing into a Nursing Skills and Simulation Laboratory with an estimated cost of \$1 million dollars; now therefore, be it

RESOLVED, that the Board of Trustees approves the redesignation of \$1,000,000, originally earmarked for construction of a clean room in the TEC-SMART building at HVCC North to be used instead for the purpose of the construction of a suite of Nursing Laboratories and an Observation Room.

Approved
Action Taken

5. AMENDING THE BYLAWS AND POLICY MANUAL OF THE HUDSON VALLEY BOARD OF TRUSTEES ON VIDEOCONFERENCING

Request is made for approval of the following resolution:

**AMENDING THE BYLAWS AND POLICY MANUAL OF THE
HUDSON VALLEY BOARD OF TRUSTEES ON VIDEOCONFERENCING**

WHEREAS, by passing Chapter 56 of the Laws of 2022 ("Chapter 56"), 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 Hudson Valley Community College Board of Trustees to authorize its members to attend meetings by videoconferencing under extraordinary circumstances; and

WHEREAS, Section 103-a(2)(a) requires the Hudson Valley Community College 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

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 HVCC 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; now, therefore,

BE IT RESOLVED, that the Hudson Valley Community College Board of Trustees, having conducted a Public Hearing as required, hereby 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; (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 be it further

RESOLVED, that the Hudson Valley Community College Board of Trustees' written procedures attached hereto further governing its use of videoconferencing by its members in compliance with Chapter 56 of the Laws of 2022, are hereby adopted and approved.

Approved
Action Taken

Procedures for Member Videoconferencing Pursuant to Public Officers Law § 103-a

In compliance with Public Officers Law (POL) § 103-a(2)(a), the HVCC Board of Trustees, following a public hearing conducted on January 28, 2025, authorized by resolution, on the same date, the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. HVCC Board of Trustees members shall be physically present at any meeting of the HVCC Board of Trustees unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.
3. If a member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the Chairman of the Board of Trustees no later than four business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the Board of Trustees shall update its notice as soon as practicable to include that information. If it is not practicable for the Board of Trustees to update its notice, the Board of Trustees may reschedule its meeting.
4. If there is a quorum of members participating at a physical location(s) open to the public, the HVCC Board of Trustees may properly convene a meeting. A member who is

participating from a remote location that is not open to in-person physical attendance by the public *shall not* count toward a quorum of the Board but may participate and vote if there is a quorum of members at a physical location(s) open to the public.

5. Except in the case of executive sessions conducted pursuant to POL § 105, the Board shall ensure that its members can 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. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.
6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.
7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.
8. The HVCC Board of Trustees shall provide that each open portion of any meeting

6. INFORMATION ITEMS**A. FULL TIME FACULTY**1. Academic Affairs

Joseph Paigo, Education Specialist,
Learning and Academic Support Centers,
f/t prob. appt., eff. 1/25/25

\$52,000/yr

2. School of Health Sciences

Emily Sumner, Instructor,

Michael Sgambelluri, Adjunct Instructor,
Workforce Development and Community Education,
p/t appt., eff. 12/17/24 or thereafter


\$60.00/hr

Michael Sweatt, Adjunct Instructor, Aviation Maintenance,
Aeronautical Technical Institute / Workforce Development and Community Education,

The next monthly meeting of the Board of Trustees will be held on Tuesday, February 25, 2025.

7. ADJOURNMENT

Approved
Action Taken



Suzanne Kalkbrenner
Assistant Secretary to the Board