

**HERKIMER COUNTY COMMUNITY COLLEGE
BOARD OF TRUSTEES**

Special Meeting - July 30, 2020

Chairwoman Crandall called the meeting to order at 6:35 p.m. in the Robert McLaughlin College Center, Room 288.

Trustees Attending: Dr. Ainsworth; Mrs. Crandall; Mr. Gregory; Ms. Prymas; Mr. Stalteri

Trustees Attending Via Conference Phone: Mr. Russell

Trustees Absent: Mr. Reardon; Mr. Testa

In Attendance: Dr. Cathleen McColgin; Mr. Nicholas Laino; Mr. Thomas Stock; Ms. Lorraine Lewandrowski, Esq., County Attorney

Also In Attendance Via Conference Phone: Ms. April Harris; Dr. Robin Riecker; Mr. Mark Ruhnke, P.E., C.E.M.

On March 11, 2020, Governor Cuomo issued Executive Order 202.1, which, in part, suspends certain in-person attendance and public accessibility provisions of the Open Meetings Law and authorized public meetings to be conducted in an alternative manner during the declared "Disaster Emergency."

Per the Governor's Open Meetings Law Provisions of the New Executive Order No. 202.1: [...I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 11, 2020 the following:]

"Article 7 of the Public Officers Law, to the extent necessary to permit any public body to meet and take such actions authorized by the law without permitting in public in-person access to meetings and authorizing such meetings to be held remotely by conference call or similar service, provided that the public has the ability to view or listen to such proceeding and that such meetings are recorded and later transcribed."

Governor Andrew M. Cuomo extended suspension of in-person meeting requirement of Open Meetings Law until August 5 in Executive Order 202.48.

Mr. Laino gave a background on the solar energy initiative with the County to reduce utility billings through the Value Stack Credit Sales Agreement (VDER) with Herkimer Solar, LLC. The proposal submitted by WMR, LLC specified that a 4.79 dc MW photovoltaic solar energy system would be built at 164 Shells Bush Road, Herkimer, New York, with the purchase of energy credits by the County to be at a discount rate of

15% with a base payment of 5 cents per KwH. The VDER Credit Sales Agreement, with a term of 20 years, would be split into two agreements. A 2.839 dc MW system would be dedicated to Herkimer County Community College, and a 1.310 dc MW system would be dedicated to Herkimer County. Mr. Stock gave a history on the College's attempts to obtain solar energy. Ms. Lewandrowski provided a background from a legal perspective. Site control documentation has been provided by WMR, LLC. Mr. Ruhnke reviewed the numbers, provided charts to the Board and explained the project process. A lengthy discussion took place.

Resolution 19-27: Purchase of Solar Energy Credits from Herkimer Solar, LLC was presented. Dr. Ainsworth moved to accept Resolution 19-27, with the stipulation that an addendum be provided by Attorney Lewandrowski to include an educational component: "...subject to allow Herkimer College students access to facilities twice a year and allow Herkimer College students to monitor and share live data."

Ms. Prymas seconded the motion.

Vote-Unanimous. Motion adopted.

EXECUTIVE SESSION

Mr. Stalteri moved, at 8:07 p.m., that the Board adjourn to Executive Session to discuss, under provisions of Section 105f of Article 7 of the Public Officers Law, the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Mr. Gregory seconded the motion.

Vote-Unanimous. Motion adopted.

At 8:22 p.m., Mr. Gregory moved that the Board reconvene.

Ms. Prymas seconded the motion.

Vote-Unanimous. Motion adopted.

Ms. Prymas made a motion to approve *Resolution 19-28: President's Contract*.

Mr. Stalteri seconded the motion.

Vote-Unanimous. Motion adopted.

ADJOURNMENT

Dr. Ainsworth moved to adjourn the meeting.

Mr. Stalteri seconded the motion.

Vote-Unanimous. Motion adopted.

The meeting adjourned at 8:22 p.m.