

**Capital District Regional Planning Commission  
Board Meeting**

Wednesday, July 19, 2017

Albany County Sewer District North Plant  
1 Canal Road, Albany NY

**Members Present:** Lucille McKnight, Michael Morelli, Laura Bauer, Steve Bayle, Barbara Mauro

**Members Absent:** William Connors, Stan Brownell, Samantha Miller-Herrera

**Staff:** Mark Castiglione, Donna Reinhart

**Presiding:** Barbara Mauro, President called the meeting to order at 9:00 AM

**1. Welcome & Introductions**

Lucas Jacobs from Berkshire Farm, Tim Canty, CDYCI Financial Officer, Jamie Cote and Alan Walther from Bonadio were in attendance.

**2. May 17, 2017 Meeting Minutes**

The minutes were distributed before the meeting and no changes were made.

**Action Taken**

Laura Bauer made a motion to approve the meeting minutes and Steve Bayle seconded. The motion was approved unanimously.

**3. Financial Statement through June 30, 2017**

The financial statement represents activities through June 30, 2017. For the first four months of the year, revenues are at 57% and expenses are at 73%. The higher percentage on the expense side is a result of the paper expense of transferring the facility to Albany County. The revenue represents actual revenue through June and the expenses represent actual Operation Expenses through May and an estimate for June.

**Action Taken**

Laura Bauer made a motion to the financial statement and Steve Bayle seconded. The motion was approved unanimously.

#### **4. 2016 Audit Report Presentation by the Bonadio Group**

A copy of the draft FY-2016 Audit Report prepared by The Bonadio Group was sent out prior to the meeting for review.

Alan Walther went over the Audit Report with the Board. Included in the Audit Report are a Required Communications letter and the Independent Auditor's Report providing information related to the audit. There were no material adjustments in the audit. CDYCI received the highest level of assurance from Bonadio.

#### **Action Taken**

Lucille McKnight made a motion to accept the 2016 Audit Report and Mike Morelli seconded. The motion was approved unanimously.

#### **5. Bylaws Update**

At the March meeting, the Board authorized Mark to engage the services of Robert Ryan from Harris Beach to update the CDYCI Bylaws. This update process will ensure that the Board is fully in compliance with any governance requirements currently mandated including those specified in the Non-Profit Revitalization Act of 2013. In addition, updates to the bylaws will also bring CDYCI in compliance with the Public Authorities Accountability Act (PAAA). CDYCI also satisfies the definition of a Local Authority and is, therefore, subject to related reporting requirements to the NYS Authorities Budget Office.

A red lined version of the proposed amended bylaws and a memo from CDYCI counsel, Robert Ryan were given to the Board for review prior to the meeting. Reporting requirements related to the PAAA will be the most significant compliance issue. Since the CSO Program had to go through the same process, CDYCI can use those documents as guidance through the process.

Once in place, there will be new actions to consider such as all members will need to be present in person or via video conferencing in order to vote during any board meetings. CDYCI is now subject to open meetings law. The timeline for the annual financial report will need to be done and submitted to the Public Authorities Office by March 31<sup>st</sup>. Per the Non-Profit Revitalization Act, the Board is required to convene an Audit and Finance Committee and a Governance Committee. The 2018 audit and finance committee members will need to be established at either the October or December meeting.

Mark and Robert Ryan are still working on updating the bylaws and will be working on compliance issues with the Public Authorities Office.

## **6. Raise the Age Update**

At the last meeting, the Board requested counsel to develop a memo on the potential impact of raise the age on the facility and our operations. Upon review and consultation, it became clear that there is currently not enough information to assess the impact to the facility at this time. A memo developed by the NYS Association of Counties providing an excellent summary of the questions being raised was given to the Board prior to the meeting.

CDRPC staff will prepare an analysis of incarcerated 16 and 17 year-olds to generate a rough assessment of whether there is capacity at the facility that aligns with the potential demand. It is unknown at this time if there is enough capacity at the current facility and whether we should expand to a 24 bed facility to accommodate. In addition, there is a provision for the County Sheriff's to jointly administer the facility for 16 and 17 year olds. There are many unanswered questions at this time regarding raise the age and Mark hopes to have more information for the next board meeting.

CDYCI has been asked by OCFS and NYS Division of Budget for a meeting to learn about regional approaches to secure detention. A meeting is scheduled for July 25<sup>th</sup> at CDRPC at 10:00 am with OCFS, Division of Budget, and CDYCI attorneys to educate the state on how regional intermunicipal projects work.

## **7. Albany County Renewal Update**

Per the Lease and Leaseback Agreements with Albany County, CDYCI was required to notify Albany County of its intent to renew those agreements by July 1, 2017. Robert Ryan from Harris Beach sent a letter to Albany County Executive's Office with the notice of intent to renew from CDYCI. Mark did hear back from Mike McLaughlin from Albany County and it is scheduled to be considered by the Legislature at the August meeting.

Albany County has 30 days from the date received to schedule a meeting to discuss the lease renewal.

## **8. Facility Usage: May & June 2017**

The facility was operating in May at 73% which is lower than 2016 at 83.9%. For June, the facility was operating at 97% which is higher than 2016 at 93%. Year to date the utilization is at 84%, slightly lower than 2016 at 85%.

## **9. Facility Operation/Agency Report**

Lucas Jacobs from Berkshire Farm Berkshire announced that the mental health provider was hired on Monday and has been going through the orientation process. Lucas expects the new hire will start meeting with the youth Thursday and Friday. A full time RN was hired yesterday at the facility. The RN previously worked at Vanderheyden for many years and is very experienced.

**10. Other Business**

There was no other business at this time.

**11. Next Meeting Date**

The next CDYCI Board meeting is scheduled for Wednesday, October 18, 2017 at 4:30pm.

**Adjournment**

Lucille McKnight made a motion to adjourn the meeting and Steve Bayle seconded. The motion was approved unanimously.

Respectfully submitted,

Donna Reinhart  
Office Manager

Reviewed and approved by

Lucille McKnight  
Vice President