

Capital District Youth Center, Inc.
Board Meeting
Wednesday, December 16, 2015
Capital District Regional Planning Commission
One Park Place, Suite 102
Albany, NY 12205

Members Present: William Connors, Lucille McKnight, Laura Bauer, Stan Brownell, Fred Acunto, Steven Bayle, John Lockwood, Barbara Mauro

Members Absent: Michael Whalen, Jr.

Staff: Rocco Ferraro & Donna Reinhart

Advisory: Gene Terry, Facility Director

Presiding: Fred Acunto, President called the meeting to order at 10:00 am

1. Welcome & Introductions

There were no guests in attendance.

2. October 21, 2015 Meeting Minutes

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

Action Taken

Lucille McKnight made a motion to approve the meeting minutes and Stan Brownell seconded. The motion was approved unanimously.

3. Financial Statement through November 30, 2015

The financial statement represents activities through November 30, 2015. The revenues are at 114% and expenses are at 88%. The revenues are higher due to higher utilization rates than was projected for the year.

The Operations Service Expense line item represents Berkshire Farm's statement of actual expenses through September plus two months average expenses to provide an estimate of expenses through November, 2015 of \$2,047,299.

Action Taken

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

4. Proposed 2016 Budget & Per Diem Rates

Rocky provided the Board with a proposed 2016 budget assuming a 70% utilization rate for discussion.

Based on a 70% utilization rate for a 16 Bed facility (the rate from December 2014 through November 2015 was 79.9%), the proposed 2016 per diem rate for contracting counties would be \$678.80, a decrease of \$36.41 from the 2015 rate of \$715.41. For non-contracting counties, the rate would be \$688.80 which includes a \$10 surcharge. Assuming a 70% utilization rate, the revenue generated would be \$2,782,521.

The projected total expenses for 2015 are \$2,690,791.55, an increase of 2.1% from 2015. The Operating Budget submitted by Berkshire Farm is \$2,372,046.67, a 2.6% increase from 2015. The Operator Management Fee would be 10.5% of actual expenditures per the Contractual Agreement with Berkshire Farm. Rocky recommended increasing Repairs and Maintenance Expenses by \$5000 since the facility is approaching 20 years old and an increase to Legal fees by \$4000 to address legal issues associated with the transfer of ownership of the facility to Albany County.

Michael Hall left McNamee, Lochner, Titus & Williams and is currently employed by Trustco in the Compliance Department, however he does want to continue providing legal counsel for CDYCI.

Action Taken

Steve Bayle made a motion to accept the 2016 budget based on a 70% utilization rate and Lucille McKnight seconded. The motion was approved unanimously.

5. Proposed 2016 Meeting Schedule

A list of proposed dates for the 2016 Board meetings was distributed before the meeting. The meetings are scheduled for the third Wednesday of the month at 9:30 am or 10:00 am depending upon the CDRPC agenda. The dates are January 20, March 16, May 18, July 20, October 19, and December 21. The time for each meeting will be noted on the agenda for that meeting.

6. Facility Usage: October & November 2015

The facility was operating in October at 87.7%, higher than 2014 at 77%. In November the facility was operating at 92.1%, also higher than 2014 at 84.2%. Year to date utilization is 79.6%, up from 65.4% in 2014. As of December 16th, the utilization for the month is 79%.

7. Facility Ownership/Berkshire Farm Agreement/Next Steps

The Bonds to build the facility will be paid off in February 2017 and at that time, Albany County will take ownership of the building. Also, per the requirements of the Agreement, the leases with Rensselaer, Saratoga, and Schenectady County to use the facility will expire at the time the bonds are paid. A meeting was held in May, 2014 with Rocky, Albany County, Lucille McKnight and Michael Hall to discuss the pending transition. At the meeting, Albany County indicated they wanted to maintain the current policies with a seamless transition.

The Operations Agreement between Berkshire Farm and CDYCI expires on December 31, 2016. Per the agreement, if either party chooses not to renew, then notification of the other to the other party "should" be made by November 30, 2015. If there is a notice of termination by either party, the effective date shall not be less than 90 days from the date of the notice and shall not be later than Agreement expiration date. Therefore, Rocky would like to set up another meeting with Albany County in early January in order to proactively strategize next steps on these issues and report back to the Board at the January 20th meeting.

Gene Terry informed the Board that the staff at the facility has expressed concern regarding the transition.

8. Facility Operation/Agency Report

Gene Terry informed the Board that over the last three months, there have been a number of investigations from the Justice Center. One child has generated five allegations which has resulted in 35-40 people conducting investigations at the facility.

Gene gave an update on the Oneida County lawsuit. The lawyer representing the case met with Gene and Berkshire Farm. Gene informed the Board that the lawyer believes this lawsuit has no merit and does not think it will go to trial. Gene will keep the Board updated on any new information as it becomes available.

There have been numerous visits to the facility by area judges, all of which are pleased with the facility and the job Gene and his staff are doing.

9. Other Business

Rocky announced that Mike Cashen from the Juvenile Detention Alternatives Initiative Program (JDAI) will be at the January meeting to discuss the programs that are available.

Rocky, Gene and Kareem participated in the JDAI workshop on October 29th and 30th in Saratoga.

Copies of recent OCFS Site Visit Reports were given to the Board to show the positive reviews that Gene and his staff receive. Rocky also read a very positive thank you note from one of the judges that toured the facility with Gene.

10. Next Meeting Date

The next Board meeting is scheduled for Wednesday, January 20, 2016 at 9:30am.

Adjournment

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

Respectfully submitted,

Lucille McKnight
Secretary