

**Capital District Youth Center, Inc.**  
**Special Board Meeting**  
Wednesday, September 6, 2018  
Capital District Regional Planning Commission  
1 Park Place, Suite 102  
Albany, NY 12205

**Members Present:** William Connors, Kristin Swinton, Laura Bauer, Steve Bayle, Craig Warner, Barbara Mauro, Samantha Miller-Herrera

**Members Present**

**Via Video Conference:** Scott Bendett

**Members Absent:** Lucille McKnight

**Staff:** Mark Castiglione, Donna Reinhart

**Presiding:** Barbara Mauro, President called the meeting to order at 10:00am.

**1. Welcome & Introductions**

Rick Riccio, Facility Director, Robert Ryan from Harris Beach, Moira Manning from Albany County Office of Children Youth and Families and Mike McLaughlin (via conference call) were in attendance.

**2. Approval of the July 18 Meeting Minutes**

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

**Action Taken**

Scott Bendett made a motion to approve the July 18, 2018 meeting minutes and Kristin Swinton seconded. The motion was approved unanimously.

**3. Financial Statement through July 31**

The financial statements represent activities through August 2018. Revenues are at 47% and expenses are at 57%. Due to lower than estimated utilization, revenue continues to track significantly under. Through August, CDYC has an estimated deficit of \$295,490.

Mark gave a recap of the 2018 budget and per diem rate decisions made this year. The next step is setting a rate for Specialized Secure Detention from October – December 2018.

Revised use contracts and lease agreements were distributed to the counties for adoption. The agreements included updated language related to reserved beds, new language related to an SSD facility, as well as language regarding an agreement for the counties to pay an initial deposit at the beginning of each year. The amended agreements expire December 31, 2018. The 2019 agreements will be distributed before yearend.

#### **Action Taken**

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

#### **4. Facility Usage: June 2018**

Mark informed the Board that the 2017 annual utilization was 80.2% and the average for 2018 is 44%. For August, the facility was operating at 27.2%. The facility is down 45% from the same period in 2017. Judges in the Capital District and surrounding areas have been directed to use secure detention as a final option, which is suspected to be the reason for such low utilization.

A concept for expansion has been developed to accommodate the new Specialized Secure Detention areas of the building. The concept would expand the facility by 15 beds, however Mark suggested holding off on any new construction at this time and wait to see what the actual population will be. All expansion and improvement costs at the facility are 100% reimbursable by the State. According to state regulation, the current building is in need of changes and upgrades in order to function as a Specialized Secure Detention facility even if there is no expansion done.

Mark sent revised use contracts to all upstate counties to allow them to use beds in both Specialized Secure Detention and Secure Detention if they are interested.

#### **5. Proposed Specialized Secure Detention Budget and Per Diem Rate**

A copy of SSD budget and rate for October – December 2018 were given to the Board for discussion.

Mark went over the SSD budget for Oct -Dec 2018 with the Board. The budget for SSD is \$700,000. The original budget that was provided to the board did not anticipate enough new staff or shared expenses. Berkshire Farm was asked to adjust all program expenses to assign a proportionate share of those expenses to specialize secure detention. Also, any shared facility staff such as Rick Riccio and the assistant facility director, a portion of their salaries will be assigned to specialized secure detention. This budget will be submitted to the State for reimbursement

Mark went over the projections for SSD to get a per diem rate \$1,900 for 2018 and an approximate amount of \$740 - \$750 for 2019. For 2019, total expenses for secure detention are anticipated to be \$2,090,000 and for specialized secure \$2,029,000. The Board can come back and review per diem rates for 2019 at the end of the year.

### **Action Taken**

Scott Bendett made a motion to approve the proposed Specialized Secure Detention Budget and per diem rate and Kristin Swinton seconded. The motion was approved unanimously.

## **6. Approval of RTA County Plans and Cost Share**

The original plan was that each of the four participating counties would submit a worksheet with all RTA expenses for reimbursement by the State. However, the State decided that the participating counties needed to come up with proportionate share of the expenses. The expenses include the improvements to the facility, staffing costs, and CDYCI expenses. The participating counties agreed to calculate the proportionate share of detention expenses identified in their RTA plans based on the number of AO reserved beds in the facility. Care expenses will be based on actual costs after January 1, 2019.

Based on each county's proportionate share of AO reserved beds originally identified as Albany 7.5, Rensselaer 2, Saratoga 1, Schenectady 2, the percentage distribution for each county would be:

- Albany County – 60%
- Rensselaer County - 16%
- Saratoga County - 8%
- Schenectady County – 16%

Initial start-up costs of about \$200,000 include Phase 1 contract with SMRT, cost for new furniture, and new security cameras for the facility are also being proposed for the cost/share reimbursement process with the counties. The suggested reimbursement process for non-care startup costs is CDYCI procures services, materials, equipment, furniture, etc. and pays vendors and then issues invoices to the participating counties for their cost-share percentage allocation. Counties then pay CDYCI invoices based on their percentage share submit those expenses for state reimbursement.

Mark anticipates continuing with SMRT for the development of bid documents and possibly purchasing more furniture for the facility which will also be paid through the cost-share process in 2019.

So far, the State has stated that all of the non-care costs are 100% reimbursable, however there has been nothing received in writing. This cost-share mechanism has been accepted

by the State and the State has requested a justification for reasonableness for every expense to be reimbursed to the counties.

**Action Taken**

Craig Warner made a motion to approve the cost-share methodology for RTA non-care expenses and Steve Bayle seconded. The motion was approved unanimously.

**7. Approval of Reimbursement and Reconciliation Procedure**

Currently, the state reimburses counties 49% for the rate they pay to CDYCI and any overpayments or underpayments are reconciled between CDYCI and the user counties annually after the acceptance of CDYCI's annual audit. Counties then reconcile with the state through the JDAS system. After January 1, 2019, the state will not be reimbursing counties for over payments, they will base reimbursement on the actual cost of detention not the rate counties pay.

The new process suggested is CDYCI establish a per diem rate to maintain cashflow and reconcile with the counties on a quarterly basis any overpayments or underpayments based on the rate charged versus the actual expenses for both secure detention and specialized secure detention. The counties will request reimbursement through the JDAS system for actual detention expenses assignable to either RTA or non-RTA youth in the facility. RTA youth are 100% reimbursable and non-RTA youth are 49% reimbursable.

Mark is requesting Board approval to reconcile with user counties on a quarterly basis for actual expenses.

**Action Taken**

Laura Bauer made a motion to approve the quarterly reconciliation process with counties starting January 1, 2019 and Bill Connors seconded. The motion was approved unanimously.

**8. Approval of Security Cameras and Staff Lockers**

In a walkthrough of the facility with OCFS and SCOC, we were advised to add cameras to the facility. The new camera system at the facility must be operational by October 1, 2018. The cameras will be installed in the common hallway areas around the main security pod, cafeteria, and lounge rooms. Wolfe Security will be installing the cameras before October 1, 2018 for \$6,145.00. This expense is 100% reimbursable.

SCOC also stated that new lockers for staff must be installed before October 1, 2018 and a new staff entry into the facility. Previously, staff entered the facility through the back entrance, which SCOC felt was a security risk. The new process for staff entering the facility is they will enter through the main entrance and lock all personal items including

cell phones and all electronics in the new lockers located in the vestibule area. Lockers will be installed by Jorgenson Industrial Companies for \$2,595.00. Mark is requesting board approval for payment for the invoices.

**Action Taken**

Kristin Swinton made a motion to approve payment for Wolfe Security and Jorgenson Industrial Companies and Craig Warner seconded. The motion was approved unanimously.

**9. Approval of Revised Reserved Bed Allocation**

Mark went over the projections for the AO, JO and JD populations. The total for average daily population is 37-39. The numbers are based on historic utilization at the facility and may change.

Schenectady County requested a change in their reserve bed allocation. The reserve bed for Schenectady County for AO changed from 2 to 1 and JD/JO from 2 to 3 totaling 4 reserve beds. All the counties are in the process of approving the use contracts and lease agreements. In order to accommodate the change in Schenectady county's reserve bed days, a new exhibit with updated reserve bed allocation will be sent out to the counties.

Mark is requesting the Board to approve the revised reserved bed allocation to accommodate Schenectady County.

**Action Taken**

Samantha Miller-Herrera made a motion to approve the revised reserved bed allocations and Laura Bauer seconded. The motion was approved unanimously.

**10. Waiver/Variance/Certification Requests**

Revised use contracts and lease agreements were distributed to the counties for adoption. These revised lease agreements included language regarding an agreement for the counties to pay an initial deposit at the beginning of each year. A deposit may be needed to help with potential cash flow issues that CDYCI may face at the beginning of the new year. The counties agreed to execute the amended lease agreements that will expire December 31, 2018. The counties also agreed to execute new lease agreements with the same terms before yearend that covers January 1, 2019 through December 31, 2019.

Bob Ryan is working on the 2019 lease agreements and will be sent out to the counties in October. The lease agreements may change depending on the improvements and financing.

Since the last meeting, we received the facility assessment and a population analysis was done to reflect daily averages. Mark went over the population analysis with the Board.

The population estimates for AOs by CDRPC is 14-16, OCFS estimates 15-20. The current county jail average for AOs is 10-19. The existing Juvenile population before 2018 was 10. The grand total for estimated population for AO, JD and JOs is 31 – 37. The required exiting facility improvements are:

- Changing the door swings from in to out
- Upgrading the lock systems to more robust detention grade locks
- Upgrade the video monitoring system and security control board
- Adding natural light in common areas in the three bed pod
- Expand and improve the sally port
- Adding required visitation space
- Additional classroom/training space, as needed
- Exterior security perimeter hardening may also be required

There is a meeting Friday, September 7, 2018 for the architect to distribute 3 concept designs of the facility. The concepts include, operate the existing 13 bed dorm as a 12 bed dorm when operating as a SSD, expand the existing 8 bed dorm by 4 beds and adding 2 six bed wings with appropriate recreation areas. The architects will discuss each concept in detail at the meeting. The architects met with Rick and Karim to discuss the procedures and policies before they started the design concepts. The revised cost estimate Mark received yesterday is \$9.7 million.

A draft application for substantial remodeling was submitted to the State on July 31, 2018. The Specialized Secure Detention Certification Packet was submitted on August 14, 2018.

Mark provided the Board with a copy of the certification checklist showing everything that has been completed. There are only three items left unchecked and are being addressed this week.

Rick and Karim are working on responding to comments made by the State on the Policy and Procedures manual.

There will be a walkthrough of the facility on Monday, September 10 with state agency, the architects and Albany county Sheriff. There was a conference call last week with OCFS, SCOC and the Sheriffs regarding the administration of the facilities and how they will be managing the annual certification process of the facilities. Mark followed up with the Sheriff's office and was informed that they are adapting their certification checklist they administer at the Albany County Jail to CDJSDF. The checklist will only have to be administered annually.

Mark heard back from the Dormitory Authority regarding financing with DASNY. They are ready to meet with Mark in the next week to discuss the financing mechanism.

**11. Facility Operation/Agency Report**

Rick Riccio informed the Board that his primary focus has been interviewing and hiring new staff. There have been quite a few new hires including an Assistant Director who has been working at the facility since it opened. New furniture has been delivered and is expected to be delivered over the next couple of weeks.

Rick is also conducting interviews for a new mental health provider at the facility and expects to have the position filled very soon.

**12. Other Business**

There was no other business at this time.

**13. Next Scheduled Meeting**

The next CDYCI meeting is scheduled for October 17, 2018 at 8:30am.

**Action Taken**

Kristin Swinton made a motion to adjourn the meeting and Craig Warner seconded. The motion was approved unanimously.

Respectfully submitted,



Donna Reinhart  
Office Manager

Reviewed and approved by



Laura Bauer  
Secretary