

## **CDYCI COMMISSION MEETING**

**9:00 am, Wednesday, March 17, 2021**

**Due to social distancing policies related to COVID-19, the Capital District Youth Center, Inc's March 17th meeting will be held virtually through Zoom Meetings and streamed live on CDPRC's Youtube Channel.**

**Members Present via Zoom Platform:** William Connors, Lucille McKnight, Kristin Swinton, Laura Bauer, Scott Bendett, Steve Bayle, Craig Warner, Barbara Mauro

**Others Present:** Joseph Mancini, (Berkshire Farm) Robert Ryan (Harris Beach), Lucas Jacobs, (Berkshire Farm), Moira Manning (Albany County DSS)

**Members / Others Absent:** Samantha Miller-Herrera

**Staff:** Mark Castiglione, Amy Weinstock.

**Presiding:** Laura Bauer, President, called the meeting to order at 9:02 am.

### **1. Welcome & Introductions**

President Bauer welcomed everyone to the meeting.

### **2. January 20, 2020 Meeting Minutes**

The minutes were distributed before the meeting.

### **Actions Taken**

Kristin Swinton made a motion to approve the meeting minutes with track changes and Barbara Mauro seconded. The motion was approved unanimously.

### **3. Financial Statements through February 28, 2020**

Mark Castiglione presented are the financial statements through February 28th for the Secure Detention and Specialized Secure Detention facilities.

Revenues for the first quarter will be booked after we submit our quarterly expenses and are issued a billing rates by OCFS. Revenues reflected are related primarily to the bedroom furniture project reimbursement. We have yet to receive financial statements for January or February from Berkshire Farm. Since the financials are incomplete without Berkshire's costs, the board did not need to approve them.

#### **4. The not quite Pre-Audit Financial Statements**

Typically Mark Castiglione submits the pre-audit financials for board approval at the March meeting. This year, however, the 2020 financials remain incomplete pending the issuance of a quarter 4 2020 rate by OCFS. Without the rate, we cannot book the anticipated revenues related to quarter 4 operations. The most up-to-date 2020 financials were presented, which includes all expenses incurred by both Berkshire and CDYCI. Since these financials are incomplete, board approval is not necessary.

The majority of the expenses are on the SSD side, due to the flipping of the wings, which is good for Counties because those costs are 100% reimbursable. Regarding RTA expenses, the State acknowledged that their records are incomplete in JDAS regarding RTA youth. There is data missing and without that information the youth are not flagged as RTA in the system. That is a problem because RTA youths are 100% reimbursable for their stay, whereas non RTA youth who are only 49% reimbursable for their stays.

We will proceed with the audit as soon as we book the quarter 4 receivables.

#### **5. Review of Waivers**

This memo provides a review of the various waivers secured in response to the pandemic or related staffing crisis which occurred in late January 2021.

**Suspended Visitation:** The ~~waiver~~ that suspended outside visitation, including that of parents, was issued in March 2020 and continues to be in effect. Youth have been afforded additional opportunities throughout the week to visit with loved ones virtually.

**Co-Housing Waiver:** This waiver allows the comingling of male youth regardless of JD, JO or AO status. This waiver was issued in October of 2020 and included a 90-day term subject to renewal. This waiver was originally secured in response to the AO population housing crisis but continues as it offers needed flexibility to respond to infectious disease outbreak and better classification of youth.

**Staff Ratio Waiver:** Amid the staffing crisis experienced in late January, Berkshire Farm submitted a waiver which reduced the overall required staffing at the facility to a minimum of four total staff which is under the required ratio of youth to staff. This waiver was granted through 2/17/21.

**Probation Officers Waiver:** OCFS granted a waiver on 1/29/21 to allow Albany County Probation Officers to serve as back up staff to supplement Berkshire's staff. CDYCI, Berkshire Farm and Albany County executed an MOU outlining the nature of the

relationship. The waiver expired 14 days after its issuance. Probation officers were needed only a couple times.

Thank you to Luke Jacobs, facility staff and Facility Director Joe Mancini, in particular, for his unflappable leadership during the staffing crisis. I would also like to thank OCFS and SCOC for providing critical support and flexibility. Our appreciation for the support we received from Sheriff Apple and the Albany County cannot be overstated. Thanks to the Sheriff's office team who provided critical services, guidance and support during the crisis. Thanks to Albany County Executive Dan McCoy and Albany County Probation Director Bill Connors for providing county probation officers to supplement facility staffing. It was inspiring to see the interagency effort and CDYCI will be forever grateful for the unwavering support that we received.

### **Action Taken**

Barbara Mauro made a motion to approve the 2021 budget amendment, and Kristin Swinton seconded it. The motion passed unanimously.

#### **6. 2017-2018 Reconciliation**

With the projected cashflow issues projected in 2018, the board decided to delay the 2017 and 2018 refund back to the counties. There were a variety of delays completing the 2018 audit and a late change to the receivables for Q4 2018 which resulted in a revised amount for the 2018 reconciliation.

##### **2017**

With Operations revenue of \$2,893,846.43 including the Unused Bed Days from Oneida County (\$66,320.13), plus the meal subsidy income of \$24,426 and interest revenue of \$364.25, the total revenue from all sources equaled \$2,918,636.68. With total expenditures equaling \$2,455,876.44, 2017 ended with a surplus of \$462,760.24. This differs from the total identified in March 2018 as it now shows \$29,453.95 in Reserve Fund revenue. Since this is a balance sheet item and the Reserve Fund was new in 2017, it was missed in the original reconciliation calculation.

In surplus years, the county refund formula does not include the non member surcharges (\$8,310) and interest income (\$364.25) but does include the unused bed revenue. With no change in policy, the amount refunded to the counties would equal \$454,085.99 (\$462,760.24 less \$8,310 and \$364.25).

##### **2018**

With Operations revenue of \$2,376,742 including the Unused Bed Days from Oneida County (\$89,550.91), plus the meal subsidy income of \$14,092 and interest revenue of \$662.82, the total revenue from all sources equaled \$2,391,497. With total expenditures equaling \$2,381,239, 2018 ended with a surplus of \$10,258.

In surplus years, the county refund formula does not include the non-member surcharges (\$3,990) and interest income (\$662.82) but does include the unused bed revenue. With no change in policy, the amount refunded to the counties would equal \$5,605 (\$10,258 less \$3,990 and \$662.82).

Due to the difference between the Q4 2018 rate CDYCI billed counties and the one issued by OCFS in early 2020, we were required to separately issue refunds for those overpayments. Those refunds substantially reduced the amounts owed to the counties for overpayments for 2018.

### **Net Refund**

We first present a draft combined 2017-2018 net refund table for your consideration in 2019. Adjustments to Q4 2018 rates occurred in 2020. Presented here is the final reconciliation. The total draft refund for both years is \$459,691.09. Refunds are calculated based on proportionate share of actual use. The draft refund amounts are included in the table below. 51% of the is owed to the state with the exception of the proportionate share of cost allocated to RTA youth housed in the SD facility between October and December 2018. The board also voted to net amounts owed related to reimbursable legal costs incurred in 2018 from the refund amount. A calculation for that is included in the table below and in the attached.

County	2017 Refund	2018 Refund	Total	2017-2018	Estimated 51% Due to State	Estimated 49% Due to County	Estimated Total Due to County	Legal Cost Not Eligible per OCFS SSD		Net Refund	Refund Check Amount
								Eligible per OCFS SD	Eligible per OCFS SSD		
Albany	\$ 168,095.82	\$ 1,914.97	\$ 170,010.79	\$ 86,705.50	\$ 83,305.29	\$ 83,305.29		(3,651.60)	(5,113.20)	\$ 74,540.49	\$ 161,245.99
Rensselaer	58,601.30	\$ 372.86	\$ 58,974.16	30,076.82	28,897.34	28,897.34		(973.76)	(1,363.52)	26,560.06	56636.88
Saratoga	7,016.35	\$ 46.61	\$ 7,062.96	3,602.11	3,460.85	3,460.85		(486.88)	(681.76)	2,292.21	5894.32
Schenectady	112,953.27	\$ 1,663.70	\$ 114,616.97	58,454.65	56,162.32	56,162.32		(973.76)	(1,363.52)	53,825.04	112279.69

Board action is requested to approve the revised reconciliation and refund amounts.

### **Actions taken:**

Barbara Mauro made a motion to approve the 2017-2018 Reconciliation and Craig Warner seconded the motion. The motion passed unanimously.

### **7. Facility Use**

Use in the facility has declined through the first part of the year. A Facility Use Chart and Daily Use graph for January-February 2021 are attached for your review. The usage is heavily sided towards the SSD wing. There are approximately 14-15 youth.

## **8. Facility Operations / Agency Report (Berkshire)**

- There was a COVID outbreak at the facility within the staff and the youth. This led to a staffing shortage and additional staff had to be brought in temporarily. It has been resolved now and everything is running back at normal capacity.
- The intake of new youth is now 3 rooms for new admissions to quarantine upon arrival. 2 in A Unit for males, and 1 in B unit for girls.
- 3 days quarantining in these rooms until a rapid COVID test is negative, in which case they can be moved into the general population.
- There are groups of 5 youths in school, together during school, meals and activities.
- There are big steps being taken to improve programming in the Facility.
  - a. A private donor has been secured to improve education access for the youth.
  - b. South Colonie School District is providing quotes to enhance the internet access throughout the Facility.
  - c. A private donor has also offered \$30,000 for vocational training, in person computers for all youth. Proper procurement policies are being followed.
  - d. Berkshire Farms has a scholarship fund through a private donor for all youth in the facility to attend college after their release. It is open to all Secure youth at the Facility. March – June 1<sup>st</sup> is the deadline to apply, and all youth can get assistance. The Alumni Program opens this to any youth from the Facility, regardless of how long it has been that they were released. The money goes into an escrow account so it is not given directly to the youth.

### **Executive Session**

Barbara Mauro made a motion to enter executive session with Mark Castiglione, Berkshire Farm's Luke Rogers and Joe Mancini, Harris Beach's Rob Ryan, and all Board Members present, and Craig Warner seconded the motion. The motion was approved unanimously.

Barbara Mauro made a motion to exit executive session with no action taken and Kristin Swinton seconded the motion. The motion was approved unanimously.

**9. Other Business**

There is no other business to discuss.

**12. Adjournment**

Barbara Mauro made a motion to adjourn the meeting at 9:45 and Craig Warner seconded it. The motion approved unanimously.

The meeting adjourned at 9:45.

**The next meeting of the CDYCI Board will be May 19, 2021 at 9:00 a.m.**

Respectfully submitted,

Amy Weinstock  
Office Manager

Reviewed and approved by

Samantha Miller-Herrera  
Secretary