

CDYCI COMMISSION MEETING
9:00 am, Wednesday, May 18, 2022

Due to social distancing policies related to COVID-19, the Capital District Youth Center, Inc's May 18th meeting will be held in person at 1 Park Place, Suite 102, virtually through Zoom Meetings and streamed live on CDPRC's Youtube Channel.

Members Present: Laura Bauer, Craig Warner

Members Present via Zoom Platform: Kristin Swinton, Susan Costanzo, Barbara Mauro, Samantha Miller-Herrera

Others Present: Joseph Mancini, (Berkshire Farm) Robert Ryan (Harris Beach), Lucas Jacobs, (Berkshire Farm), Mike McLaughlin (Albany County Executive office), John McPhillips (Schenectady County), Dave Reilly (NYS Department of Family Assistance), George Penn (Albany County), Lori Haggerty (Albany County Department of Probation).

Members / Others Absent: Lucille McKnight, William Connors, Scott Bendett

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. Welcome New Board Member Susan Costanzo

The members welcomed Susan Costanzo from Saratoga County to the Board. Susan is replacing Steven Bayle, who retired.

3. March 16, 2022 Meeting Minutes

The minutes were distributed before the meeting.

Actions Taken

Craig Warner made a motion to approve the meeting minutes, and Barbara Mauro seconded. The motion was approved unanimously.

4. Financial Statements through April 30, 2022

Attached are the financial statements through April for the Secure Detention and Specialized Secure Detention facilities.

SD: Berkshire Farm's reported expenses through March is \$485,982, and the estimated total operations expenses through April is 647,975.49. Total estimated expenses through April are \$670,911.

SSD: Berkshire Farm's reported expenses through March are \$732,818 and the estimated total operations expenses through April are \$ 977,090. Total estimated expenses through February are \$986,267.

The 2021 Q4 Rates leaves a deficit on the SD side. The total non reimbursable amount on the SD side for the year is \$15,551. We will direct-bill all user counties their proportionate share of that cost based on bed days used in 2021.

Quarter 4 rate has been received by OCSF and will be invoiced. Quarter 1 rates are being processed.

Action Taken

Barbara Mauro made a motion to approve the financial statements through April 30th and Craig Warner seconded it. The motion was approved unanimously.

5. Facility Performance Improvement Plan

The design development document package was submitted by SMRT on April 15th. We will briefly review the key elements of the DD package.

On April 21st we hosted the regulating agencies (OCFS and SCOC) on a zoom meeting to review the specifics of the design development documents and project phasing. Concurrently, the document package has been submitted to SCOC for approval. SMRT is working on the remaining elements of the project approval package submission for OCFS.

SMRT is leading a bi-weekly project team meeting among of CDYCI, SMRT, Gilbane, Albany County, Albany County Sheriff's Office and Berkshire Farm.

SMRT has also developed a matrix of project approvals and permits and is working with the appropriate local/county agencies. DASNY, as lead agency, will conduct coordinated review with Albany County.

NYS DOB has approved a max \$15 million dollar budget for the project. Cost estimates completed after schematic design are \$11.5 million dollars. New cost estimates will be

completed by Gilbane when 100% design is completed. The cost share is noted in Memo 22-10.

Albany County has agreed to be the sole obligor for the purposes of DASNY financing. To articulate each county's obligation for their local shares, and cost share for the term of the financing, we're having an attorney put together IMAs specific to the financing as a supplement to the cost share obligations already articulated in the 2020 master agreement. Those will be circulated as soon as drafts are available.

The latest cost estimates for the project are estimated between \$11.5 and \$15 million dollars. Up to \$15 million has been approved for the project from NYS DOB. Last week we received the attached letter indicating that the RTA share of the project is 89% and the Non- RTA share is 11%. Of the 11% non- RTA portion, the local share is 51%. Local share amounts for both \$11.5 and \$15 million dollar scenarios are highlighted below. OCFS has not provided its methodology for the 89%/11% calculation but have agreed to meet to explain it.

Motion to enter executive session to discuss the RTA Capital Project Update and a personnel issue at the Facility at 9:08 was made by Craig Warner and seconded by Samantha Miller-Herrera. The motion was approved unanimously.

Motion to exit executive session with no action taken at 9:25 was made by Craig Warner and seconded by Barbara Mauro. The motion was approved unanimously.

6. RTA Capital Projects Cost Share

The latest cost estimates for the project are estimated between \$11.5 and \$15 million dollars. Up to \$15 million has been approved for the project from NYS DOB. Two weeks ago, we received the attached letter indicating that the RTA share of the project is 89% and the Non- RTA share is 11%. Local share amounts for both \$11.5 and \$15 million dollar scenarios are highlighted below. OCFS verbally explained their calculation, but I have requested some written back up which they've agreed to provide. If the back up was received by the time of the meeting, it will be shared with the board.

Below are the cost share scenarios based on the current estimate and the max estimate. Gilbane will complete another estimate at 100% design development. If the new cost estimate exceeds \$15 million, the project will need to be resubmitted to NYS DOB for approval.

In addition, DASNY has provided the attached Declaration of Intent template for Albany County to use and approve. The approved declaration will enable reimbursement of any out of pocket RTA costs incurred prior to project financing.

Current Estimate	\$ 11,489,823	Total	Albany	Rensselaer	Saratoga	Schenectady
RTA Portion	89%	\$ 10,225,942	\$ 6,135,565	\$ 1,636,151	\$ 818,075	\$ 1,636,151
Non RTA Portion	11%	\$ 1,263,881	\$ 758,328	\$ 202,221	\$ 101,110	\$ 202,221
Max Estimate	\$15,000,000					
RTA Portion	89%	\$ 13,350,000	\$ 8,010,000	\$ 2,136,000	\$ 1,068,000	\$ 2,136,000
Non RTA Portion	11%	\$ 1,650,000	\$ 990,000	\$ 264,000	\$ 132,000	\$ 264,000

7. Facility Performance Improvement Plan Update / Operation / Agency Report

On February 18, Berkshire was notified that it was being placed on a heightened monitoring status under a performance enhancement plan. Deficiencies were identified and Berkshire is required to complete a long-term and near-term employee recruitment plans, attend weekly performance meetings, immediately open visitation and address cleanliness issues identified during a routine inspection.

The main issues of the PIP have been resolved. The 5 areas addressed were:

- Bathrooms: they were repainted with special paint, cleaned and a cleaning company is coming once a week until a maintenance person can be hired.
- Visitation: visitation has started again in person. Tuesday and Wednesday evenings.
- The lack of recreational activities: There is a full time staff available to bring youth to the gym or the outside area as able. They follow a new recreational schedule now, and if there is less staff available, there is a work around.
- The not having enough staff members for rapid response and not enough staffing in general: They have new positions filled to reach the required amount. There is a goal to hire 8 people, and so far 3 have been for the Rapid Response Team. There were 19 vacant positions when the PIP was issued. There are currently 12. 2 people are starting next week and 3 offers were made in that time period. 1 more offer has been made this week. There are a lot of applicants, but few who are properly qualified for the positions.
- There have been 2-3 staff members who were hired and resigned due to being in the contained environment.
- Active recruitment is still ongoing with TV Ads, streaming Ads and Facebook posts and Ads.
- 2 full time RNs are on staff now.
- There is an art program in collaboration with Albany Center Gallery 2 times a week. There was a mural made in the dining room by the youth.
- There is a music program at the facility as well.

- A Lineage program has been arranged where youth and staff can engage in mindfulness and meditational activities.

8. Facility Use

Female Intake is still closed. There are few youth from out of County and some of those are because of exchanges of youth between Counties.

9. Appointment of Vice President

With the resignation of Steve Bayle, the board can appoint or elect a representative from Saratoga County to serve as Vice President. A related section of the bylaws is excerpted below for your reference.

Section 2. Term of Office. The President, the Vice President, the Secretary and the Treasurer shall, unless otherwise determined by the Directors, be elected for two-year terms and shall hold office until the second subsequent annual meeting of the Corporation and until their successors have been elected or appointed and qualified. Each additional officer appointed or elected by the Directors shall hold office for such term as shall be determined from time to time by the Directors and until his or her successor has been elected or appointed and qualified. Each additional officer appointed or elected by the Directors shall hold office for such term as shall be determined from time to time by the Directors and until his or her successor has been elected or appointed and qualified. If the office of any officer becomes vacant for any reason, the board of Directors shall have the power to fill such vacancy in accordance with the rotation established in Section 1.

Laura Bauer nominated Craig Warner to the position of Vice President. There were no objections.

Action Taken:

Motion to accept the nomination of Craig Warner to the position of Vice President of the Board of Commission was made by Barbara Mauro and seconded by Samantha Miller-Herrera. The motion was passed unanimously.

10. Facility Operation / Agency Report

Nothing to add from the Facility Performance Improvement Plan Update above.

11. Other Business

No new business to discuss.

12. Adjournment

Motion to adjourn was made by Craig Warner and seconded by Barbara Mauro. The motion was approved unanimously. The meeting was adjourned at 9:45.

The next meeting of the CDYCI Board will be July 20, 2022 at 9:00 a.m.

Respectfully submitted,

Amy Weinstock
Office Manager

Reviewed and approved by

Samantha Miller-Herrera
Secretary