

**MINUTES
SPECIAL MEETING OF THE
COMMITTEE OF THE WHOLE
WEDNESDAY, JANUARY 9TH, 2008, 6:30 PM
160 GENESEE ST., 6TH FLOOR, CHAMBERS**

CALLED TO ORDER: By the Hon. Roger Mills, all Legislators present except excused Netti and Mahunik.

PLEDGE OF ALLEGIANCE:

MOMENT OF PRAYER:

CHAIR APPOINTMENT OF CHAIRMAN TO PRESIDE (Rule #29 Cayuga County Rules of Order)

Chairman Mills, we have important issues to discuss, per rule #29, of the Rules of Order, I appoint Ann Petrus to Chair this Committee Meeting of the Whole

People that signed in:

Rich Wagner, HOLT Architects
Paul Levesque, HOLT Architects
Roz McCormick, AMH
John Baran, AMH
Camille Hill, Bond, Schoeneck & King-AMH Counsel
David Blair, Director of Mental Health
Deborah Schwarting, CSB
Terri Wasilenko, CSB, subcommittee
George Steigerwald, CSB
Arleen Egry, CSB, subcommittee
Linda Arkuro, CSB
Cindy Mazzeo, Alcohol & Substance Abuse Chair
Paul Vitale, CSB
Flora Gagliostro, CCMHC
Deb Foster, CCMHC
Liz Piwinski, CCMHC
Pauline Carincelli, CCMHC
Bart Waslenko, NAMI of Cayuga County

TOPIC: Plan of Correction

Legislator Petrus, I am going to ask for a motion to dispense with the regular order of the agenda motion made by Legislator Lockwood, 2nd by Legislator Chapman, approved by voice vote, all present voting aye.

Fred Westphal, Co. Attorney, this is a meeting of the Committee of the Whole, it is not a Legislative Meeting, it is a work session. There are various groups here to present information to the Legislature, Holt Architects, the Hospital, CSB and David Blair, Director of Mental Health. The Legislature has been working under a Plan of Corrective Action with the Office of Mental Health. David Blair has submitted that, there is still one piece that is lacking, physical therapy, which is a program that has some challenges over at the Old Historic Post Office. Holt Architects has submitted a feasibility study to do some rehabilitation work at the Old Historic Post Office, they will do a presentation latter on this.

As part of this Plan of Corrective Action, the state is looking for a time line, as to when this Legislature thinks the prior approval review form will be submitted to the State. That will take care of the physical plant issue, that is the remaining piece. What we are hoping to get out of this is to get enough information to the Legislature to make a decision as to when the Prior Approval Preview will be available. Then we will need some meetings with David Blair, CSB and the architect to design where this is going to go and get the proper paper work to the State of New York and get this thing going.

David Blair, Mental Health Director, citations that were issued by the Office of Mental Health has been addressed and approved at this time. The remainder of two issues, a good faith estimate as to the date by which the preliminary applications will be submitted for the building as well the physical plant issue of temporary space at the Historic Post Office. The Office of Mental Health as communicated to me the importance of letting the Legislature know and the Community Service Board know that the updated section of the Historic Post Office were in fact temporary, but needed before a operating certificate could be issued. The most important thing that was emphasized to me was that there would be a good faith effort on the part of the Legislature for the PAR Application and a date by which it will be submitted.

Paul Levesque and Rich Wagner of HOLT Architects, feasibility study to see if it would be feasibility to move the County Mental Health Offices into the Hospital, as they have some access space. We used some information that was given to us from a study that was done before for the Old Post Office and the Carr Building, also some documentation from the Office of Mental Health on the deficiencies in the Old Post Office, that was for the out patient side. For the continuing day treatment program, we have a floor plan of where the offices are now over on North St. We combined this information to come up with a plan for each program to see what was needed and would it fit in the building. The out-patient facility needed about 1,600 net square feet and the continuing day program needed about 8,500 net square feet. We developed two different schemes, one is to move in only a portion of the Cayuga County Mental Health Program, this would be The Old Post Office and the Carr Building, and leaving North St. alone. The other option is to move the entire program. Within those two schemes there are a couple of different options that would depend on the level of renovations that might be done inside the buildings. If we pay more money up front and do more renovation we could actually get some efficiencies and require less square footage. Keep in mind that it was designed as a Hospital, so it does have things like 8ft corridors, that you normally wouldn't find in this type of program.

Rick Wagner, HOLT Architects, the portion of the Hospital we have been looking at is the West Wing, the older part of the Hospital and adding on towards the East. In the first option we would be moving over the Carr Building, as well as the Program in the Historic Post Office. Just looking at that program we would use the 2nd floor and a little bit of the 3rd floor. In the in the second option first we are moving over the Carr Building, Historic Post Office, and the North St. Facility, using the 1st floor, 2nd floor as well as the 3rd floor on the West Wing of the Hospital. If you want to keep the initial cost down you need more square footage, verses if you spend a little more up front, you can some more walls down get some more efficiencies, and use less square footage in the long run. There was discussion on whether it would be required to split up some of these departments between floors, this would be less than ideal. The summary of the two different options are you could spend anywhere's from 2.4 million to 6.3 million, that's project cost, not construction cost.

George Fearon, Legislator, I would like to make some points, on plan 1A and 1B you have a difference of 1,700 square feet, between whether you tear walls down, put walls up, or leave them where they are. When you look at the difference in cost, there are things you need to consider, for instance if you have additional space, as far as providing climate control, cleaning. The gross/net differences are 3,900 square feet, that is a considerable amount of space. I think we should look very hard at not necessarily being cheap because being cheap may not be the best course to go. I think we need to look at the savings from going the full route verses the short route. I think it is much more desirable to bring everything together rather than have it broken up. The second option would be a better option.

Francis Mitchell, Legislator, on the matter of the efficiencies, partly going to be a little larger than necessary?

Rick Wagner, HOLT Architects, yes, the process we go through is come up with a net square footage. We have eight offices at 100 square feet, and we start filling up spaces, not including corridors, and one of the big hits you take with an old hospital is you have these 8ft. wide corridors, so one of the things we looked at was to make the corridors smaller, giving you more office space. We would try to use office space as it is. If you have space of 115 square feet but you only need 100 square feet do you really want to spend the money to renovate that space?

Chris Palermo, Legislator, could you explain the difference between construction cost and project cost?

Rick Wagner, HOLT Architects, construction cost is what the contractor would charge you per square foot, project cost is what it is actually going to cost you.

Ann Petrus, Legislator, what would be the real difference between 1A (minor) and 1B (major)?

Rick Wagner, HOLT Architects, bringing the building up to code, such as sprinklers, those safety things. You could move in without changing to much of the flooring, but it would be nice to replace some of the older flooring. Major renovations such as moving walls so we can get program spaces closer to what they are now. If you move an office into an old patient room, that is a very generous space, so by moving walls in the major renovation you will be bring things together, size things accordingly.

Wayne Allen, County Manager, I would like to point out one thing that needs to be considered, whatever you do you are going to have to put a budget together for new furniture more equipment. Some of the furniture and equipment is quite old. I would suggest that whatever you do, we need to appropriate some funds for this.

Rick Wagner, HOLT Architects, that is another thing that would be typically associated with a project cost verses construction cost. There is advantages and disadvantages to building one advantage is if in ten years you need to expand you would be able to do so.

Roger Mills, Chairman, in option 2 we are using space on the first floor, but in option 1 we are not , I'm just curious as to why not?

Rick Wagner, HOLT Architects, currently the Hospital has offices that they are currently using on the first floor, so rather than in option 1 and moving those offices right now, we were try to look at the hospital interest of keeping those program spaces where they are now.

Roger Mills, Chairman, is that something that could be reconsidered?

Rick Wagner, HOLT Architects, I think we could work with the Hospital on this.

Francis Mitchell, Legislator, does the County have any plans for the North St. Building?

Wayne Allen, County Manager, if the Legislature wishes to keep that building, we would have to dump a million dollars into it to clean it up, there are no parking issues so far, but it will be evaluated.

Steve Cuddeback, Legislator, this evaluation is based on a Hospital that is full?

Rick Wagner, HOLT Architects, correct, it's going to be full.

Duane Hall, NYS Dept. of Mental Health, priority is to get the outpatient facility moved first. I don't know what timing will have with choosing option 1 over 2 will have on this. The final stage of the POLKA, we need to generate time lines, projected target date for the submission of the plan for PAR. What would help in this instance is a letter from the Hospital that we support this with a copy of the Plan of Correction, a good faith effort to move forward and follow through with the intent of your plan.

Cindy Mazzeo, Chair, Alcohol and Substance Committee, our concerns is detox beds, and if the Hospital would consider this.

Roz McCormick, AMH, the Hospital is here to serve the community. The Out Patient Program that is to the extend a part of the Office of Mental Health, I don't think we're going to distinguish between what type of out-patient program are happening. I don't know the regulations in the State of New York, but detox is a medical issue, where you would have to have a physician on our staff admit that patient to the Hospital under detox. I don't know if you need a distinct part of the hospital for this, it's a medical condition. I don't see this project as in-patient beds.

Cindy Mazzeo, Chair, Alcohol and Substance Committee, this is a very serious issue.

Francis Mitchell, Legislator, can we do this as two projects? Easily separated, we can do process one, get our Carr Building and Old Historic Post Office moved over first, then at a latter date move North Street people over.

Rick Wagner, HOLT Architects, it is possible to do that, I'm not sure time wise how much you would be saving, we could take a look at that. If we were to open up the whole building, do the whole renovation at once, it really wouldn't take much longer than it would to do one floor. I'm sure how much you would actually save, it would probably drag the project out longer. I would certainly take a look at it, if there is a way to get people in faster we could certainly do that.

Terri Waslinko, Mental Health Sub-committee, I would like to make a statement on behalf of NOMI, and the Mental Health Sub-committee, you have the employees support to move into the Hospital. This would support interrogation and makes good sense. It would provide continuity of care. It would provide an appropriate environment for psychiatric care services. The health care of the patient needs a separate space for clinical treatment. The health care of the patient, they need a dignified environment. These are important issues, dignity and services.

Daniel Sincebaugh, Legislator, a point was made that maybe in ten years we might need more room, I would hate to sink a lot of money into the building and then find we need to do it again.

David Blair, Director of Mental Health, what we do is there is a certain number of people in any given population that need Mental Health services. The public system we plan for a third of that number, we don't see that number growing anymore. We have about achieved our critical mass of patients at this time. We would be able to expand by almost 10% if needed at the hospital.

George Fearon, Legislator, the separate entrance was an issue at the Old Historic Post Office, I think we need to look at that with this plan.

Ann Petrus, Legislator, we have the graciousness of the Hospital and we have progressed to this point. Now we need to get the Old Historic Post Office basement and the Carr building in motion. We need to start this process and submit that PAR. Every month we wait is adding to the cost. We would at least like to get the a,b,c's of submitting the PAR.

David Blair, Director of Mental Health, the application describes the programs, in our case it would describe the Clinic Treatment Program and the Intensive Case Management Program. Each program you operate must operate

separately, that is why we have them on separate floors. An application would have to be done for each program. Two programs, describe the program, the staff, clients, services, overhead costs, cost benefit analysis. The office of Mental Health makes site visits to be sure that the constructions is going along as they say it is. Before we can occupy the space we need the certificate of occupancy on the wall.

Rick Wagner, HOLT Architects, the part 2, the physical aspects, we would provide a very detailed diagram of the floor space.

Fred Westphal, County Attorney, is it possible to have something together by May 31, 2008?

David Blair, Director of Mental Health, once I have the drawings yes.

Fred Westphal, County Attorney, once the County decides 1A, 1B, 2A, 2B, we can but something together.

Rick Wagner, HOLT Architects, by May 31, 2008 yes.

Ann Petrus, Legislator, to the Hospital, would May 31, 2008 be a concern to you? No, that would work.

Francis Mitchell, Legislator, I would like to know about reimbursement, bottom line this is a major cost to taxpayers, cost is a major factor. We need to know this before we draw up plans.

Ann Petrus, Legislator, I know what you are saying and on that topic, there will have to be meetings, meeting and meetings. At least tonight we need to go to step 1, step 2, start the PAR process. It doesn't mean we're going to spend any money. I was going to ask the Legislature tonight if your prepared or if you have had a chance to look at the different options, I see some have not, can we discuss that tonight?

Christopher Palermo, Legislator, I know we are still unsure about some of the reimbursements. The lease rates per square foot has the Hospital provided any of those. The operating costs, I think there are still a lot of questions before we decide. I'm not sure how we can do it unless we win the lotto.

Michael Chapman, Legislator, on the percentages for contingency, they seem rather liberal, are you comfortable with that, are you pretty close to the money on that?

Rick Wagner, HOLT Architects, am I comfortable with the budget I have established, yes, with the contingencies, yes, these are pretty standard, at this point it's a feasibility study. We are carrying a 15% design contingency, who knows what we're going to run into.

Michael Chapman, Legislator, we have talked about fixtures, do you have any guesstimates about fixtures?

Rick Wagner, HOLT Architects, I'd rather not answer that now.

Michael Chapman, Legislator, are they going to be any extraordinary equipment costs I should be aware of?

David Blair, Director of Mental Health, only in the medication room.

Ann Petrus, Legislator, I think we are at point where we need to set up work session's.

George Fearon, Legislator, we need to provide service, we need to commit to one of the plans.

I brought a blank application with me tonight, relocation requires less information.

Wayne Allen, County Manager, can we start out with one plan and during the course of the PAR, modify it. If the Legislature is so inclined, we know that 1A is the least expensive, and as we progress and get better numbers we can move up.

Duane Hall, NYS Dept. of Mental Health, yes, you can amend the plan.

David Blair, Director of Mental Health, we need a separate PAR for each location.

Wayne Allen, County Manager, no one knows where the Legislature is going. It appears that they are looking at four options, the least expensive is a starting point and we'll keep working on the process.

David Blair, Director of Mental Health, even if we did all of it, we have to submit a different PAR application for each one, so we're looking at three anyway. We would submit the one for the clinic first.

Wayne Allen, County Manager, I think we all agree that all Mental Health Services should be on one campus and for that little bit more for the Carr Building we should bring that over. Start here and see where the Legislature wants to go.

Christopher Palermo, Legislator, I do want to disagree with 1A being the cheapest, it's not. 1B using less square footage in the Hospital, again depending on the per square foot lease price, cost overtime, 1B could be cheaper. Both plans are quite different and I'm not sure how much latitude involved in the PAR application.

Rick Wagner, HOLT Architects, what happens every time you amend, you're not starting over. The hard part is not filling out the application, it's getting the approval. It would through you back into the cycle to be reviewed again and adds more time.

Christopher Palermo, Legislator, so in your opinion 1A or 1B would most likely be accepted by the State?

Rick Wagner, HOLT Architects, yes, we could make it work.

Peter Tortorici, Legislator, how long would it take to plug in some lease numbers with the different plans. What kind of time frame will it take to get some answers on the reimbursements, lease payments?

David Blair, Director of Mental Health, if I had a firm number I could give it to you. If COPS remains and the State does not change that reimbursement, the third year after we have moved in, that cost is adjusted, the reimbursement is adjusted to the cost so we will get a cost increase to cover that.

Peter Tortorici, Legislator, the cost for the lease for square footage.

Rick Wagner, HOLT Architects, we know what our cost per square footage is now, we can give a number right now, it's a question of who is going to finance the renovations.

Peter Tortorici, Legislator, I just want to know how long it will take to get these numbers and get to work?

Rick Wagner, HOLT Architects, I can give you the numbers on the existing tonight. I think what you are asking can be done very quickly, it's just a matter of plugging the numbers into a formula, and David knows the reimbursements rates for the different services.

Ann Petrus, Legislator, the other part of the question is the lease agreement, or is the County borrowing money?

Rick Wagner, HOLT Architects, who is going to finance the renovation costs, I'm guessing it's going to be the County. Who is going to be responsible for the rental cost in the existing space?

Francis Mitchell, Legislator, there will be changes in the reimbursements.

Christopher Palermo, Legislator, the reimbursements are not very attractive. Would the County guarantee the loans the Hospital finance it and we back it.

Fred Westphal, County Attorney, it would be better for the County to finance.

George Fearon, Legislator, first of all we need to have a meeting between the Hospital and the County to figure out the give and take of both sides that would mutually benefit both sides.

Steve Cuddeback, Legislator, I'm leaning towards putting all the Mental Health Services together under one roof. I like plan 2B, if your reimbursements will cover the cost.

David Blair, Mental Health Director, in theory yes.

Ann Petrus, Legislator, option 2B is everything in one place.

David Blair, Mental Health Director, understand that our applications need to go in one at a time, clinic first.

Roger Mills, Chair County Legislature, we could wrap the financing all in one package.

Francis Mitchell, Legislator, are the reimbursements based on cost?

David Blair, Mental Health Director, yes, if this is done in 2008, it will take approximately 3 years.

Christopher Palermo, Legislator, is it possible if the County guarantee's these loans could they then increase the leases.

Fred Westphal, County Attorney, are you saying have the Hospital finance this?

Christopher Palermo, Legislator, yes.

Fred Westphal, County Attorney, the Hospital is still working through the bankruptcy, but one of the things against the creditors, they would want to know is there going to be exit financing. Lets assume they borrow 6 million dollars now, and even though the County guarantees it, they may impact negatively on Hospital ability to borrow more money that it needs to move forward. It's a better option for the County to borrow the money.

Duane Hall, NYS Dept. Mental Health, I appreciate you stepping up to the plate, I do hope you see a reduction in your lease rates for each program, you are making a big investment in your building.

Fred Westphal, County Attorney, I will try to reach out to the Hospital this week or next week to see if we can lease numbers for each plan.

Ann Petrus, Legislator, maybe by next week, Thursday, and we can move along. I don't want to put anyone in a position where we're not ready.

Duane Hall, NYS Dept. Mental Health, we do have a financial officer for those kind of questions.

Roger Mills, Chair, Cayuga County Legislature, each of these options references a 13 month time frame, it just seems like the scope of the work is a lot different, I'm curious as to why each of them are 13 months.

Rick Wagner, HOLT Architects, the scope of the work really isn't that much different as far as the process goes. 13 months is the mid point of construction, if we start in September. 6 to 8 months for construction, design time about 12 months, 18 months total.

Michael Chapman, Legislator, you have a number of zeros in your cost area, how long before we can get those numbers.

Rick Wagner, HOLT Architects, we can fill those out more, it won't effect the bottom numbers very much, furniture isn't going to be that much.

Michael Chapman, Legislator, is there going to be a separate heating, cooling system for these renovations, or is this going to be tacked on to the existing units at the Hospital.

Rick Wagner, HOLT Architects, the cooling system possible, they have a cooling system at the Hospital. The heating and ventilation system would probably be separate. We would use Hospital infrastructure if possible.

Ann Petrus, Legislator, are you prepared to make a decision tonight?

Daniel Schuster, Legislator, get the figures we need, and maybe by the end of the month we can meet again.

George Fearon, Legislator, we could make a commitment that we are going to move forward.

Peter Tortorici, Legislator, I think we are all committed to this project and want to move forward. I think if we have a meeting next week with the Hospital, and David Blair can get us some numbers. We want to get this going as soon as possible.

Terry Wasilinko, Mental Health Worker, please move this forward.

Duane Hall, NYS Dept. of Mental Health, once the PAR is submitted, then the review process, it's not automatically approved. It has to be reviewed, there is some time involved in that approval process. There are questions that need to be answered, communication on the PAR before it is approved.

Motion by Legislator Chapman to adjourn 7:55PM, 2nd by Legislator Cuddeback, approved by voice vote, all present voting aye.

Motion by Legislator Chapman to approve minutes 4-22-08, all in favor.