

Soldiers' Home in Holyoke Board of Trustees Meeting

A meeting of the Board of Trustees of the Soldiers' Home in Holyoke (HLY) was held telephonically on Wednesday, December 16, 2020. The meeting began at 5:38 PM.

Members Present:

Kevin Jourdain, Chairman; Mark Bigda; Sean Collins; Gary Keefe; Cindy Lacoste, Isaac Mass, Carmen Ostrander

Also Present:

Michael Lazo, Chief Operating Officer; Cheryl Poppe, Secretary, DVS; Nancy Shimel, Recording Secretary

Pledge of Allegiance - All present recited the Pledge of Allegiance.

Review and Discussion of Payette Report. Potential for Motions and Votes to Follow:

Scott Parker, Principal at Payette Associates, gave a presentation on the Needs Assessment and Implementation Roadmap. This PowerPoint presentation was provided to all Trustees present. The presentation will also be available on the Soldiers' Home in Holyoke website. Mr. Parker reviewed the following items as a part of his presentation:

- Rapid Planning Objectives
- Stakeholder Engagement Update
- Survey Overview
- Survey of Veteran Care Future Needs
- Resident and Staff Workshops – Key Takeaways
- Major Program Components to be Considered
- Site Constraints
- Existing Building Condition
- Parking Calculations
- Long-Term Care Beds
- Adult Day Health
- Outpatient Care
- Domiciliary
- Existing vs. Needs Assessment Report
- Timeline

Following his presentation, Mr. Parker opened up the discussion to questions.

Sean Collins inquired if any other sites were considered for the facility? Mr. Parker stated that they did not look at any other sites, as nothing in their initial research indicated a move was necessary. We never got to a point where we felt this site was inadequate, so we would not look at moving unless there was a substantial reason to do so.

Isaac Mass asked if Payette considered the impact on Adult Day Health for increased outpatient services? Mr. Parker stated that there will be a space within the Adult Day Health area where services can be provided. Mr. Mass inquired if Optometry and Podiatry can be done in Adult Day Health? Mr. Parker confirmed that physicians can come in to provide services there.

Isaac Mass stated that some Board members and community groups indicated concern around the reduction in beds – what is the impact on wait times with the reduced census? Mr. Parker stated that Payette did not look at specific wait times, but it seems that there are issues with the wait list itself as it is not accurately reflecting Veteran's conditions. We do believe the inclusion of Adult Day Health will have significant impact on controlling wait times and giving options to people. We will have more beds based on the reduced demographic trend than there are now. Mr. Mass inquired on when the big drop-off is expected in the Veteran population? Mr. Parker stated that the current census is 235 beds, and by 2035 we would only need 178 beds.

Review and Discussion of Payette Report. Potential for Motions and Votes to Follow (cont.):

Mr. Mass inquired as to the useful life of the building? Mr. Parker relayed that it is 70-100 years. Mr. Mass asked to what extent was parking a major consideration in the decision to reduce beds? Would it open up more bed room if there was off-site parking? Mr. Parker stated that parking did not factor into the bed count. Mr. Mass inquired if pushback is received for an increased number of beds, could that be done or would we need off-site parking? Mr. Parker stated that this is factored on whether we renovate or replace the facility. If we renovate, this would be a serious problem; if we replace the facility, we could move the number up, with there ultimately being a limit as staffing levels have changed for long-term care facilities. Mr. Mass asked if Mr. Parker had received a copy of the response from the Coalition? Mr. Parker has not received this. Kevin Jourdain to forward a copy of the Coalition response to Mr. Parker. Mr. Mass noted that the Coalition suggests a different configuration of a new building based on Oregon State Veterans' Home small house model. Mr. Mass asked if he could hear back from Payette on the benefits and drawbacks based on your proposal vs. the Coalition's proposal. Mr. Parker stated that they are not trying to propose a design at this time – this work will come after the report. Mr. Mass noted that he understands there will be a whole design process.

Mr. Mass stated that in looking at the November report, I saw that the number one staff concern and Board of Trustees' concern was about behavioral health needs. I did not see this addressed anywhere – do you propose this service to be on-site and if so, how many beds? Mr. Parker stated that we did discuss behavioral health, however it was not a specific function we wanted to define in the report. We need to work with Holyoke on that, as we did not specify the number of dementia beds or behavioral health beds. These are part of the next steps we will need to work out. Mr. Mass noted that there is a mention of dementia beds. He stated that behavioral health will need its own locked facility similar to dementia. This could have a similar impact on space, and we may want to work on established needs for a behavioral health unit on-site and whether this will impact other things you are proposing.

Gary Keefe stated that in looking at the survey overview in the report, it listed "Other" as 24%. Could you tell us who this refers to? Mr. Parker stated that he believes these were outside groups and the respondents had the option to identify themselves, but some people did not choose this option.

Gary Keefe inquired on the difference between the Rapid Planning Phrase and Strategic Planning Process? Mr. Parker clarified that this refers to the speed with which it happens. Strategic Planning is where you will take a longer period to assess.

Gary Keefe inquired if in 30 years, this facility will meet the Veteran needs? My concern is that if we continue to go up with the elderly population, how does that affect an emergency evacuation and outside usage of walking paths? Mr. Parker stated that in the preliminary layouts on outdoor space, we have incredible opportunities to be able to have gardens and usable outdoor space during many seasons. We believe the site has good access near thruways and opens access up to people in the region. In terms of emergency evacuations, this building will be built like a hospital, so you don't evacuate during an emergency, you would stay in the building.

Kevin Jourdain stated that there has been some trepidation around reducing the bed count from 235 to 205. Could we build a certain portion of rooms so they are big enough to have 2 beds and could accommodate 2 residents, but in the meantime, only put 1 bed in those designated rooms? So we could operate at 205, but in the event models were wrong, then this facility would have the capacity to have 30 double rooms. If the useful life of the building is 70-100 years, we may have more Veterans 40 years from now, and this would give us the opportunity to have some variance for error. The other benefit would be that some Veterans may benefit psychologically from having a roommate. What are your thoughts on this? Mr. Parker stated that Payette is in complete agreement on this. We have heard from many clinical staff that some Veterans may benefit from having a roommate. We are looking at some rooms to be used as doubles in the new facility. There is not a guarantee, but we are looking into this.

Review and Discussion of Payette Report. Potential for Motions and Votes to Follow (cont.):

Kevin Jourdain inquired if Payette was charged with considering the budgetary ramifications of any of these recommendations in terms of needs on the actual operating budget at the Home? Mr. Parker stated that Payette will help the Soldiers' Home administration to look into this. Staffing is something that we need to look at. We will work with the Home to understand what the ultimate budget implications are. We have to do this as a part of the VA grant application. We also look at energy costs and what it costs to operate the building.

Kevin Jourdain inquired if an estimate has been done for creating a 40-50 bed Adult Day Health unit, and if Outpatient and Domiciliary services are eliminated, would this cover the cost of the Adult Day Health unit? Mr. Parker stated that they will be looking into this.

Kevin Jourdain stated that in terms of the domiciliary being eliminated, it was noted these Veterans could move to other locations. Is there enough Western MA resources for these residents to move to in the next 3-4 years? Mr. Parker stated that he would need to defer this to Secretary Poppe. She does not want to ask those individuals to leave where they are now. There is always going to be a need for this, but the long-term plan is not having the same kind of medical residential fit that makes sense with what Payette is proposing for the site.

Kevin Jourdain inquired if there will be capacity to keep the dental clinic? Mr. Parker stated that this is a need that many people are having trouble finding so I think a dental clinic would be relatively small, but it could certainly be considered. Mr. Jourdain stated that we will have to continue to have more conversations around this.

Kevin Jourdain stated that in looking at the timeline, he was surprised to see that it says we are looking at re-occupancy in the spring of 2026. Do you think it will take 5 years for the new building to be up? Mr. Parker confirmed yes, it would probably be about 5 years from now. It will take approximately 3 ½ years to build and 1 year to get through the design process.

Kevin Jourdain inquired on whether Payette has an opinion on whether we should renovate the facility or do a complete replacement? Mr. Parker stated that they are leaning towards replacement.

Kevin Jourdain asked when thinking about the next steps, how do you see this playing out, and are you getting any indications from Administration on this? He is mindful that the application is due on 4/15/21 and we would be looking at January/February for a project scope and budget, and we need the legislature to put the bill forward to commit to the 35% funding. Mr. Jourdain noted that he has reached out to Congressman Neal's office to secure the 65%. Could you please review the timeline? Mr. Parker stated that this is the same timeline that the Soldiers' Home in Chelsea drew. In terms of navigating through the Commonwealth of Massachusetts, we have this in hand and are prepared to move forward on that. In terms of meeting with Administration, we have meetings set up. We have a tight timeframe. Mr. Jourdain inquired if the Soldiers' Home in Chelsea went through the VA Grant Program? Mr. Parker confirmed they did, and that the \$1,000,000 budget they had was raised to \$7,000,000 – this was an unusual year and Chelsea was able to finance because of that. We hope that Congress understands there is a significant need to make this kind of increase again. Mr. Jourdain inquired how the process works to get the 35% funding and if Chelsea received the 65% from the Commonwealth of Massachusetts? Mr. Parker confirmed that Chelsea did get the 65% and the Commonwealth wrote a bond for the entire project. This was one of several portions of the grant applications we had to submit which is on our slate to do this and get to the VA.

Alda Rego noted that as far as funding, what will happen is that the Government will have to file a bond bill to cover the cost of construction at the Home, so all will originate with the Government. We fund 100% and get 65% back. It is filed with the House and the House would take up after a hearing, then the Senate would conference it. All of this is contingent upon the 65% and we are confident that we will get that. We had early conversations with the VA Construction Program and they are fully aware and ready to accept the application on 4/15/21. We are well positioned with how much work has been done, and we are actively engaged with Payette as we continue to make the final design plan.

Review and Discussion of Payette Report. Potential for Motions and Votes to Follow (cont.):

Mr. Mass stated he is concerned about the current reduced bed proposal, which would be further reduced if we put behavioral health beds in. What are the steps for making a final determination on the room count, and who makes these decisions? Mr. Parker stated that this will need to be in place for the 4/15/21 application. We will need the final number selected. We are in the early stages of design, and we will be meeting with the Administration of the Home and will need to address these issues. Mr. Mass inquired if the Board wishes to weigh in on this, and when they would need to do this by? Mr. Parker stated that this would need to be done as soon as possible. I will have to defer to EOHHS in terms of when we will meet with you. We believe once we get the design going in the right direction, we will want to present this, but much work will need to be done between now and then. We will want to address your questions before making the presentation about the final outcome.

Mr. Jourdain stated that we would certainly want EOHHS and the Board of Trustees to approve the final design. We will need to make sure we have enough time for us to do this so you have clear direction. Mr. Parker stated that they have just become engaged in the design process, and there are many things to do. We are looking at mid-February before we have meaningful direction, but will be working with the Home and many others on the direction going forward. Mr. Jourdain stated that we will refer to you, and when you are ready to come back, we should huddle again.

Isaac Mass made a motion to table the Payette report, seconded by Gary Keefe. Roll Call Vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Gary Keefe (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), and Kevin Jourdain (Yes). All were in favor to table the Payette report.

Kevin Jourdain stated that we will be breaking from the Public Session of this meeting and the Board will be entering Executive Session. Our intent is to come back into Open Session after Executive Session has concluded to take action on the Interim Superintendent. Kevin Jourdain made a motion, seconded by Carmen Ostrander, to enter into Executive Session for the purpose stated on the agenda. Roll Call Vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Gary Keefe (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), and Kevin Jourdain (Yes). All were in favor to enter into Executive Session at 6:43pm.

Following the conclusion of Executive Session, the Public Session of the meeting was resumed and called to order at 7:26pm. Roll Call was taken - members present were as follows: Mark Bigda, Sean Collins, Gary Keefe, Cindy Lacoste, Isaac Mass, Carmen Ostrander, and Kevin Jourdain.

A motion was made by Kevin Jourdain, seconded by Cindy Lacoste, to move to Item #4 on the agenda to discuss the appointment of the Interim Administrator and Acting Superintendent.

Kevin Jourdain stated that it has come to the attention of the Board of Trustees that EOHHS has recommended someone for consideration for the position of Acting Superintendent.

Secretary Poppe stated that we would like to appoint Michael Lazo as the Interim Superintendent. We do not feel a vote is necessary because there were formerly 2 Interim Superintendents who were appointed without Board of Trustee approval. We do understand that the permanent Superintendent would need to be appointed by the Board of Trustees and we wish to collaborate with the Board on the appointment of the permanent Superintendent. I would like to take this opportunity to thank Val Liptak for all the work she has done over the last 10 months. She will be leaving the Home on 12/20/20.

Kevin Jourdain noted that Mr. Lazo brings a great level of gravitas to the position. He also wished to recognize the outstanding job done by Val Liptak. Ms. Liptak was able to stabilize a difficult situation under difficult circumstances. We are well positioned to have this type of continuance with Michael Lazo – he is an ideal choice to be the Acting Superintendent. I support him to be the leader of the Home over the next 2-3 months to fill that role. We have an earnest search process underway for a permanent Superintendent. Mr. Jourdain noted that there is a fair disagreement relative to the Board of Trustees' authority over this matter. To state just for the record, I will point out that the Board of Trustees

Review and Discussion of Payette Report. Potential for Motions and Votes to Follow (cont.):

has had other interim superintendents who were appointed by EOHHS. I can only speak to what is the fact that whatever was done in the past was done in the past. I can only say we now know clearly what the rules are and what the law is. EOHHS has held positions that this Board does not have appointment authority. One of the things we know is that the authority of the Board is clear in the statute. I can only speak to what has happened since I have come onboard where there was an immediacy of need when Val Liptak was appointed as an interim administrator, but the Board did not defer its right of appointment by recognizing Val Liptak. She needed to be appointed quickly, and the Board recognized that change and supported it – it was not waiver of the rights of the Board, but we agreed on the appointment. As far as the prior appointment of Cheryl Poppe as interim superintendent to the Home, that pre-dates my time on the Board. I can only say that now there is no question the Board will enforce MGL c. 6 Section 71 that the Board of Trustees has the authority. All this came in to question relative to the employment status of Bennett Walsh, and all questions raised in public pleadings in courts and it has been determined in all public filings in the Hampden County Superior Court who has this power. It has been vetted by the courts in Massachusetts under Judge Ferrara vs. Board of Trustees and clear judicial guidance has been given regarding this. Hiring and firing authority is exclusive to the Board of Trustees. We now have a judicial opinion to support this. EOHHS did not appeal this decision. This matter is closed unless there is a change of the statute. There have been requests from the Governor's Office to change the statute, but if they had the authority there would not be a need to change the statute. EOHHS continues to hold its historical position that they do not need Board of Trustee approval to hire and fire, but it has been the position of the Board, the Court and the Board's legal counsel that the approval of the Board of Trustees is absolutely required under the statute, and this is upheld by judicial opinions as well. I appreciate EOHHS bringing this forth to us as a vote and presenting to the Board of Trustees for approval.

Kevin Jourdain entertained a motion by Gary Keefe, and seconded by Sean Collins, to approve the appointment of Michael Lazo to serve as Acting Superintendent of the Soldiers' Home in Holyoke until the Superintendent position is filled on a permanent basis. Roll Call Vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Gary Keefe (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Kevin Jourdain (Yes). All were in favor to approve the appointment of Michael Lazo to serve as Acting Superintendent of the Soldiers' Home in Holyoke until the Superintendent position is filled on a permanent basis.

Adjourn:

Upon motion by Sean Collins and seconded by Carmen Ostrander, it was unanimously VOTED to adjourn the meeting. Kevin Jourdain conducted a Roll Call Vote of Trustees present. The Roll Call Vote is as follows: Mark Bigda (Yes), Sean Collins (Yes), Gary Keefe (Yes), Cindy Lacoste (Yes), Isaac Mass (Yes), Carmen Ostrander (Yes), Kevin Jourdain (Yes). The vote was unanimous to adjourn the meeting at 7:40pm.

Respectfully submitted,

Nancy Shimel
Acting Secretary for the Board of Trustees