

## **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 8, 2020. The meeting began at 5:15 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; Aimee Desmarais, Chief Nursing Officer; Cheryl Poppe, Secretary, DVS; Steve Giordano, Interim Chief Financial Officer, Mark Yankopoulos, Legal Counsel; Alda Rega, Assistant Secretary for Administration and Finance, EOHHS; Mark Yankopoulos, Legal Counsel; Matt Deacon, Legal Counsel, DVS; Sharon Boyle, General Counsel, EOHHS; and Nancy Shimel, Recording Secretary
- **Pledge of Allegiance** - All present recited the Pledge of Allegiance.
- **Public Comment:**  
John Paradis requested to make public comment. Mr. Paradis is a member of the Soldiers' Home in Holyoke Coalition. Mr. Paradis stated that he looks forward to discussion with the Soldiers' Home administration on the COVID patient memorial. He noted that the coalition would like to see a permanent location that will honor those Veterans that have passed, and they are open to working with both the administration and community partners to plan a permanent construction of this memorial.

Mr. Paradis expressed that the coalition looks forward to a discussion with the Ombudsman, Mr. Joseph Delaney. The coalition is a resource to Mr. Delaney as advocates to the veterans and families. The coalition is interested in learning the process for concerns to be voiced and to what degree Mr. Delaney will be afforded autonomy. He expressed that in order for the Ombudsman to do his job, he must be allowed to take a public stance on long-term care standards when needed, without prior approval. He noted that federal law requires that kind of autonomy. We would also expect to see that Mr. Delaney will be trained and certified on a number of subjects that affect long-term care residents. Thank you for entrusting Mr. Delaney to the position of Ombudsman.

Mr. Paradis stated that he hopes that the administration at the Home can share what they can about the COVID vaccination plan at the Home.

Stephen James Connor requested to make public comment. Mr. Connor represents the Central Hampshire County Veterans Services. Mr. Connor wished to address a concern that was addressed to legislation by a city counselor and family members regarding side door access to the Soldiers' Home that contractors are using to go in and out of the facility. He wants to ensure that the contractors that go in and out of this entrance are part of the regular COVID screening protocol considering they are coming in the facility. Mr. Connor was asked to bring this matter to the attention of the Board of Trustees.

- **Approval of Minutes**

Upon motion by Isaac Mass and seconded by Carmen Ostrander, it was unanimously VOTED to accept the minutes of the Regular Meeting held on November 10, 2020 with the following changes:

1. Under the State and Administrator Report – change spelling in last paragraph from “Morris and Mahoney” to “Morrison Mahoney”.
2. Under Old Business – Trustee Account Audit Update from Powers & Sullivan – amend the following sentence: “Mr. Jourdain has asked the State to give us management comment” to “Mr. Jourdain has asked that the state give us management comment prior to our December Board meeting”.

**Approval of Minutes (cont.):**

Kevin Jourdain conducted a Roll Call vote on the approval of the amended minutes of the Board of Trustees meeting on November 10, 2020. 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).

- **CFO Update**

Steve Giordano reviewed the “Trustee Fund-Summary of Receipts and Disbursement Report for FY21 for the period ending October 30, 2020, as well as the current month’s activity detail. He provided information on the operating budget using the standard reporting format. The UBS and Westfield Bank statements were also provided.

Cindy Lacoste inquired if the donation from the American Legion is a refund for the computer. Mr. Giordano stated that we received a check from them that has not yet been deposited, as this occurred at month’s end.

Kevin Jourdain made note of the impressive investment gain of \$160,000. He also asked that if there is any way that we can bring in any entertainment to improve the life quality of the veterans, please make the Trustees aware, as we are in support of these requests.

Kevin Jourdain inquired on an item discussed at a previous Board meeting about the issue of funding going back to the retained revenue account. Mr. Jourdain inquired why funds are being given back in general funds appropriations and only \$9,800 is being carried over in the license plate retained revenue account. Mr. Giordano stated that the reason for this is that these funds are for payroll, and it is very difficult to move payroll funds out to other accounts. He noted that we have done this in the past due to contracted services, but the majority of money was for salaries not paid out due to vacancies in the facility. Mr. Jourdain requested that for next month’s Board meeting, Mr. Giordano provide the Board with information as to where the \$859,417 went from the license plate retained revenue account. Mr. Giordano confirmed that he can provide a five year history by the object class code, and he can discuss this further with Mr. Jourdain. Mr. Giordano added that when the COVID crisis came, whatever money was available was utilized. He is currently trying to get funding back through FEMA. It looks like \$700,000 will be coming back – his intent is to refund some of this money to the retained revenue account. Isaac Mass inquired if we know the percentage of recurring expenses during the five year period that was looked at. Mr. Giordano stated that there are a number of contracts that renew at the beginning of the year, and either the retained revenue account or the license plate funds are used first, and then, toward the end of the year, a correction is done to use as much of the main appropriation as we can. Mr. Mass inquired if this is spent on salaries? Mr. Giordano stated that 1/12 – 2/12 is used for expenses, and the biggest issue is the annual contracts where we need to use other funding until the monies in the main appropriation are available. He stated that he has done it this way for the past 3 years. Mr. Mass stated that he is looking for any expenses that should be pushed back to the operating budget rather than the license plate account. Mr. Giordano stated that one of these items is the object class of UU – computer systems and software; all of this was taken out of the main appropriation, and he is unsure why this was. We’ve used some of the other accounts, such as the antenna fund, where we’ve used UU money out of that, because the object code always has to be classified correctly to whatever we are buying, so that is why I have to use the UU money because we don’t have the money in our general appropriation. Mr. Mass asked if Mr. Giordano could let the Trustees know so they can advocate on behalf of the Soldiers’ Home for an appropriate operating budget, so this process would not have to be done going forward. Mr. Jourdain noted that the legislature passed the state budget today, and that there was an article in the newspaper that there is an additional \$1,000,000 for the Soldiers’ Home over what the Governor requested. Alda Rego stated that they will provide a detailed breakout of the retained revenue account for the past 5 years. She stated that they are working on the budget currently. All of the Soldiers’ Home in Holyoke funding will be appropriated and assigned. She wanted to clarify to the Board that even though we have not had a budget this year, we have been operating under an interim budget and there are no set controls – facilities continue to operate as usual. We will correct the budget in place, once the Governor

**CFO Update (cont.):**

signs the budget. Alda Rego noted that no agency has IT funding, as all IT is funded out of the EOHHS account. That is how we fund all IT operations and applications across the enterprise of EOHHS, including the Soldiers' Home in Holyoke. Kevin Jourdain inquired why our retained revenue account is being used for this purpose if there is an EOHHS account. Ms. Rego stated that she will look into this, as sometimes agencies need items that are not covered under this. Mr. Jourdain stated that the local staff at the Home should be providing justifications for why the money is needed. Ms. Rego clarified that this is not only for computers, as EOHHS is a very large operation that supports over 22,000 employees across 14 sites, and is a 24/7 operation. We have capital money for things such as the electronic medical record project, which are we engaged in with both Soldiers' Homes. We do ensure that the agencies get whatever is needed. Isaac Mass asked if the Board can be provided with detailed on the requests related to these expenses, and what was appropriated and designated, in addition to the 5 year breakdown data. Ms. Rego is not sure if those details are available, but she will follow-up to see if they can provide answers on this.

Kevin Jourdain inquired on Ms. Rego's opinion on the FY21 budget as compared to the FY20 budget, in light of the fact that we turned back \$400,000. Ms. Rego stated that this year we are going through difficult times, as we did in FY20. Administration made whatever funds were available to the Soldiers' Home in Holyoke to ensure we had appropriate staffing, PPE, and cleaning resources made available. This is probably the reason you saw the reversion in the account. In FY21 we are ensuring the Home has everything they need to provide the best possible care to the veterans at the Home, as well as those currently residing at Holyoke Medical Center. On 1/27/21, when Governor Baker files the FY22 budget, you will continue to see that commitment to the Soldiers' Home in Holyoke. Mr. Jourdain inquired what our allocation is for FY21? Ms. Rego will provide that information to the Board. Ms. Rego stated that the FY21 budget is being finalized and they are currently working on the development of the FY22 budget.

This concludes the CFO Report.

- **Report from the State and Administrator**

Michael Lazo provided the following update:

**This report reflects numbers as of December 8, 2020 at 9:30 AM**

**Current Veteran Census:**

- 129 total across all settings
  - 86 veterans are at the home
  - 17 veterans are in the dorm
  - 2 dorm veteran LOA
  - 22 veterans are currently at the dedicated skilled nursing unit at Holyoke Medical Center
  - 2 veterans in an acute care setting

**Veteran Testing and COVID update:**

- Regular onsite surveillance testing continues to be conducted on our negative veterans and staff. We are now testing Veterans and staff two times weekly.

**Status of Veteran test results at the Home:**

November 30<sup>th</sup> – December 1<sup>st</sup>:

- 38 out of 39 Veterans were tested (including 17 Dorm Veterans)
  - 38 negative
  - 1 refused

December 3<sup>rd</sup> – 4<sup>th</sup>

**State and Administrator Report (cont.):**

- 35 out of 39 Veterans were tested (including 17 Dorm Veterans)
  - 35 negative
  - 1 refused
  - 3 were in an acute care setting

**Current Employee Numbers:**

318 Employees (278.4 Total FTEs)

- 296 Active Employees (258.9 Active FTEs)
- 22 Employees (15 Direct Care and 7 Non-Direct Care)
- 93% of our staff is currently reporting to work
  - 8 Employees out due to COVID (3 Direct Care and 5 Non-Direct Care)
  - 8 Employees out due to FMLA (8 are Direct Care)
  - 3 Employees out due to IA (2 Direct Care and 1 Non-Direct Care)
  - 3 Employees out due to other reasons (2 Direct Care and 1 Non-Direct Care)

**Status of Employee test results at the Home:**

- November 30<sup>th</sup> – December 1<sup>st</sup>:
  - 313 Total all staff tested
  - 307 negative
  - 6 positive
  - 200 employees tested out of 211 negative state employees.
  - 95% Compliance rate.
- December 3<sup>rd</sup> – 4<sup>th</sup>:
  - 329 Total all staff tested
  - 326 negative
  - 3 positive
  - 205 employees tested out of 209 negative state employees.
  - 98% Compliance rate.

Aimee Desmarais provided the following update:

**Facility Infection Control:**

- Infection prevention remains our highest priority, especially with increasing rates in the community. We continue to follow all guidance and requirements from CMS, CDC, DPH, and public health emergency orders.
- No veterans residing at the Home have tested positive for new COVID-19 infection since late June. Unfortunately, last week, 1 veteran at the dedicated nursing unit at Holyoke Medical Center tested positive. This Veteran is doing well clinically, and the other veterans at HMC were retested and remain negative and asymptomatic.
- Nine employees or contractors tested positive for COVID on surveillance screening this past week, for a total of 11 over two weeks.
- As we test 250-300 employees each testing cycle, this increase is not surprising given that community rates are also increasing. COVID will be with us until there is a safe and effective vaccine, and meanwhile education, frequent surveillance and adherence to DPH and CDC mask and eye protection guidelines are our best tools.
- To put this in perspective, the positivity rate at the Soldiers' Home of about 2.3%, lower than the 14-day average for Holyoke (6.34%), Hampden County (7.1%) or the Commonwealth of Massachusetts (3.73%)
- Visitation (except for compassionate care situations) remains suspended until we can assure all veterans and staff remain negative.
- We have now implemented twice-weekly testing in accordance with DPH guidance.

**State and Administrator Report (cont.):**

- Infection prevention adds complexity to patient care, and visitation restrictions are dissatisfying to veterans and families. However, these efforts have successfully prevented any new COVID infections in our veterans since late Spring despite rising community rates, exposed staff, and staff testing positive on surveillance testing. We constantly consider how to minimize disruption while still protecting our veterans and staff.
- The Home has enrolled with RedCap and NHSN and has partnered with CVS to receive COVID 19 vaccinations when available. The Pfizer vaccine is expected to receive emergency use authorization (EUA) on December 10<sup>th</sup>, with the Moderna vaccine about a week later. We have not yet been provided with a time schedule for vaccination but were heartened by the recent CDC decision to prioritize nursing home residents and health care providers. Vaccination will require two doses spaced three weeks apart, and protection against COVID-19 begins about 28 days after the first dose. Thus, even if the first round of vaccination occurs in late December, it will be late January or February before we would expect our veterans and staff to be well-protected. In addition, 10-20% of vaccine recipients can expect to have side effects severe enough to miss work. Staff vaccination will be staggered by job description to ensure adequate staffing levels.

**Medical Updates:**

- Palliative Care physician Diane Dietzen began a palliative care evaluation of the facility on December 4<sup>th</sup> and will be interviewing staff members and others during the week of December 7<sup>th</sup>. We expect a report-out of her findings in early January
- Dr. Higgins has transitioned many of the Chief Medical Officer tasks to the medical staff but will continue to work one to three days per week on-site with phone and text availability as needed through January 31<sup>st</sup>, 2021 while a search is completed for the new permanent CMO.

**Clinical Staffing:**

- The Home's HPPD remains above the CMS standard for long-term care facility of 4.408.
- Below is the most recent hiring update:
  - We are selecting a final candidate for the Director of Social Services position
  - We currently have one Social Worker position and two recreational therapist positions posted.
  - Infection Prevention Nurse and Lead Nurse Educator on boarded on November 30th.

**Human Resources and Labor:**

- We are on track to implement permanent staffing schedules in January.
- We continue to have monthly labor management meetings with the MNA and SEIU 888.
- We are in final interviews for CMO with an on-site visit to be scheduled.
- Director of Facilities on-boarded yesterday and is in orientation.

**Quality and Compliance:**

- Following our submission of the correction plan, we are awaiting the Joint Commission unannounced survey to review its implementation.
- DPH completed an unannounced survey on October 28<sup>th</sup> and 29<sup>th</sup>. The unofficial preliminary findings were overall positive. We are waiting for the report.

**Facilities and Operations:**

- We remain at 6 units open.
- Phase 2 of the Refresh project remains on target date for a completion date of December 28, 2020.
- Initial training on the Infection Control standards for Environmental Services began on October 16th. 36 of 36 employees have been trained (100%).
- The Surface machines have arrived and training has been conducted. Policies and procedures on use are being finalized.
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**State and Administrator Report (cont.):**

- We have engaged a sign vendor to develop a suggested scope and cost of a temporary Covid memorial to be placed on the grounds of the Home. The vendor was on site today to look at the area and to discuss options. A quote will be forthcoming.
- Mr. Lazo addressed the earlier question that Mr. Connor inquired on during the public session. The contractors use the referenced door strictly for trash removal. All contractors use the single point of entry into the facility. All are required to go through the COVID screening process, which includes temperature, hand hygiene and a series of questions. They all wear appropriate PPE and a visitor badge. They are given a wristband to identify them as having been COVID screened. The referenced door is locked after the contractors leave. We ensure that the contractors go through the COVID screening process on a daily basis

**Veteran, Family and Staff Support:**

- The traditional Thanksgiving dinner was served on the units. The recreation and nursing staff conducted face time and zoom calls for the Veterans and their family members.
- With visitation suspended, families are invited to call the Family Line (413-552-4764) to set up a “virtual visit”
- Family and Veteran Advisory Councils continue this month; Veteran Advocate meeting on 12/10 and Family Advocate Meeting on 12/16
- Quarterly Virtual Family Meetings dates are set for this month, families have been invited.
- Communications continue to be developed for families, the staff, and the unions. All members of the Board have been added to the communication distribution list for improved communication
- Grief Support Programs continue to be available for staff.
- Family member support group meetings continue off sight with Jill Adams, MSW, LICSW.

**Electronic Medical Record (EMR) Project:**

- The Strategic Selection Team is continuing to review vendor proposals and the goal is to have a final selection by mid-December.

This concludes the State and Administrator Update Report and opened the discussion up to any questions.

Isaac Mass thanked the administration for adding the Board of Trustees to the communications from the Home, as it allows them to have a better understanding of what is happening. Mr. Mass requested clarification that the veteran reported as COVID positive at Holyoke Medical Center does not have an affect on the visitation at the Home? Michael Lazo clarified that we have currently have staff who have tested COVID positive at the Home and this affects family visitation.

Isaac Mass inquired if Governor Baker has designated the Soldiers’ Home in Holyoke for priority for deployment of the COVID vaccine? Mr. Lazo reported that they do not currently have that information. Mr. Mass asked that we communicate that the Soldiers’ Home be a priority. Mr. Lazo confirmed that we can forward up to request this. Mr. Mass inquired if once the vaccine is available, will it be afforded to all veterans and staff willing to take the vaccine, as well as contractors? Mr. Lazo stated that anyone who works in the Home should get the vaccine. Mr. Mass inquired if the Home will offer the vaccine to family members? Mr. Lazo stated that it would be up to family members to get the vaccine on their own. Mr. Mass inquired if union negotiations have begun around staff willingness to receive the vaccine? Mr. Lazo stated that this is not something we would negotiate at the Home. Secretary Poppe added that the Home is working on their plan on when they will get the vaccine. It is still in process at this time, and until that information comes out, we

**State and Administrator Report (cont.):**

cannot speculate on this. She clarified that both Soldiers' Homes will have a plan in place. Mr. Mass stated that he would like to know the plan for staff who refuse to take the vaccine, as he is concerned that family visitation will continue to be intermittently closed down when positive COVID individuals come into the building. He would like to see family visitations on a more regular basis, and he would like to ensure that there is a plan in place to prevent staff contracting COVID after the vaccine is available. He inquired if we are currently working on a plan for staff who are unwilling to be vaccinated? Secretary Poppe stated that this is discussion that we will work on with Human Resources. Long-term care facilities are being prioritized for deployment of the vaccine, being managed through the command center and DPH. The Soldiers' Home in Holyoke will work to make sure they take care of the veterans and staff at the Home.

Gary Keefe inquired if, as far as the above mentioned issue with the contractors utilizing the side door, are individuals calling the Home to address these types of things? Mr. Lazo noted that this issue was brought to their attention earlier today. We followed-up to provide an answer to this question. Mr. Keefe noted that it would be nice to give the administration at the Home the opportunity to fix such a problem before going to the legislature.

Sean Collins asked if there is a plan in place for the rollout of the Surfacide units on where they will be utilized, and on how long it is expected to get policies and procedures in place on this. Michael Lazo reported that the policy is in final draft. It is currently with our infection control team for final edits. It should be completed in 1-2 weeks. We will be focusing the use of the Surfacide machines on the second floor as there were contractors who tested positive for COVID working on that floor. The unit will be used for a final clean after Environmental Services going through.

Sean Collins inquired if we are still using the Rapid COVID testing machine inhouse? Michael Lazo stated that we use the rapid test for individuals exhibiting COVID symptoms, followed by the PCR test.

Sean Collins asked if the lobby remodel is moving forward? Michael Lazo stated that it has been prepared for family visitation, with new paint and wall repair. It will continue to be utilized for visitation once we get the guidance from DPH that we can resume visitation.

Sean Collins inquired on the status of the Policy Tech system. Michael Lazo stated that the Policy Tech system implementation is underway. We have brought in temporary staff to assist with uploading of policies. Once that is completed, we will be able to use the system. We plan to roll this out by the end of January 2021.

Sean Collins asked if once the electronic medical record vendor is solidified, if a timeline on the infrastructure for training and rollout can be provided to the Trustees? Mr. Lazo stated that he will follow-up on this and provide any information that can be shared to the Board of Trustees.

Sean Collins inquired on a statement that was in the Medical Staff Meeting minutes on 11/12/20 that a Physician's Assistant appointment was to be sent to the Board of Trustees for approval. He inquired if that was brought to the Board for approval? Michael Lazo stated that he believes this may be the Nurse Practitioner who onboarded and contracted COVID. Sean Collins noted that in the Medical Staff Meeting minutes, it states that this individual is a Physician's Assistant, and if this is the case, then those minutes are incorrect. Mr. Lazo to follow-up on this.

Sean Collins inquired on the status of the Home moving from the current medical bylaws to a policy and procedure model. Dr. Higgins had previously stated that he working with UMASS on this transition. Michael Lazo stated that he would get an update from Dr. Higgins to provide to the Board.

Gary Keefe requested clarification on the process for an individual to make a notification of a concern they are having regarding the Home. Michael Lazo stated that this is a three step process. If it is an issue relating to veterans or families, they should contact their social worker to address. If they are calling after hours, they should call the main phone number for the Soldiers' Home. If it is for a third party review, the Ombudsman is available to assist. Mr. Keefe inquired if it has

**State and Administrator Report (cont.):**

to be the Health Care Proxy who calls to get information on a veteran? Mr. Lazo confirmed that information can only be shared with the Health Care Proxy.

Gary Keefe referenced that during the summer months, it was reported that the Home would periodically open up windows for an air exchange, can you provide clarification? Mr. Lazo stated that the air circulation is still window dependent in some cases. We use air purifiers to provide air movement, which are strategically placed to clean the air.

Gary Keefe asked what the number one thing the Board of Trustees can help with, and what resources are needed to make a difference? Mr. Lazo stated that they will come up with a plan around this and report back to the Board.

Kevin Jourdain stated that the Board stands ready to support what is needed at the Home. He relayed that the Baker administration has committed to forward whatever funds are necessary to take care of the Soldiers' Home in Holyoke. You can provide any reasonable requests to the Board.

Kevin Jourdain clarified that anyone can make complaints about anything regarding the Home, and that they don't have to be the Health Care Proxy to do this. We ask that you call the Ombudsman first. If you are not getting results through the official process, you should then call state legislature, the Governor, or the Board of Trustees.

Mr. Mass stated that he had seen a draft of the DNR and MOLST policy and would like to know if this has gotten final approval? Michael Lazo stated that this is still in process. Mr. Mass is interested in seeing any changes to this and stated that he would like to hear the committee's opinion on medical ethics training going forward. Michael Lazo stated that an ethics committee is currently being established. This committee is expected to start in the next few weeks.

Cindy Lacoste inquired what the current flu shot compliance is at the Home? Michael Lazo stated that we are currently at a 70% compliance rate. We have a few weeks left to finalize. Ms. Lacoste requested an update to the Board on this by the end of the month.

Gary Keefe asked how the continuing resolution for federal funds will this affect federal funding through grants to the Home? Secretary Poppe stated that in the past we would be notified when there is a continuing resolution if there may be a problem with any funding for programs and they send us the information. However, we have not received any information to that at this point. We cannot anticipate or speculate, but normally veterans' programs are left in good shape, even when there is a continuing resolution. When they had the last continuing resolution, we were prepared to assist anyone in DVS who needed Chapter 15 assistance. That's all we know as of now. We will reach back out to the Veterans Administration if they have anything else.

**OLD BUSINESS:**Trustee Account Audit Update from Powers & Sullivan and the Chair:

Kevin Jourdain stated that this item is being referred to the Finance Committee. Mr. Mike Nelligan will be invited to speak at the Finance Committee. Isaac Mass made a motion, seconded by Cindy Lacoste, to move this item to the Finance Committee. All were in favor to move this item to the Finance Committee.

Meeting the Capital & Infrastructure Needs of the Soldiers' Home in Holyoke:

We continue to meet to discuss capital planning for the Home. A needs assessment completed by Payette was released on 11/11/20. There is a public session Board of Trustees meeting scheduled on 12/16/20 at 5:30 pm for the Board to meet with Payette to review the needs assessment report. This will be posted as a special Board of Trustees meeting.

Follow-Up on Board Rules adopted on July 14 relative to recommendations from Attorney Pearlstein Report:

Kevin Jourdain inquired if there are any outstanding items that have not been put into effect in relation to recommendations from the Pearlstein report? Secretary Poppe stated that she is not aware of any, other than that we are awaiting a written report from DPH on their recent infection control focused survey at the Home.



**OLD BUSINESS (cont.):**Appointments of Treasurer and Assistant Treasurer pursuant to MGL c 6 Sec 71:

Kevin Jourdain stated that they received the information on this from Secretary Poppe. They will review the materials.

Discussion of a Covid-19 patient memorial:

Kevin Jourdain noted that there has been discussion around the creation of a temporary patient memorial. As far as the signage for this temporary memorial, is there an opportunity for feedback from family members and the coalition on the design? Michael Lazo stated that the vendor was on site today to see the site. We are looking at placing a 8x4' sign with service logos – specific language still to be determined. We would like to keep this internal to the Home to build. The coalition is happy to take some suggestions. Mr. Jourdain requested that when the sign is at a point of design, if it can be submitted to the Board of Trustees for approval. Mr. Lazo confirmed that this will be forwarded to the Board.

Isaac Mass stated that for the permanent patient memorial, it is something that should be recognized more substantially. He would like to see a bidding process from local artists about what this might look like, in conjunction with the new facility. He thought this may be something to discuss on the call with Payette on 12/16/20. Kevin Jourdain noted that Payette speaks to a memorial garden in their proposal. There will need to be much discussion between the Trustees, the coalition, state leaders, and administration on what the permanent memorial will look like, as it should be commensurate with what occurred.

Discussion of the Ombudsman Program and the appointment of Mr. Joseph Delaney as the new Ombudsman:

Matt Deacon, Legal Counsel at DVS, is working on putting a presentation together on new Ombudsman. He is awaiting information, and hopes to have in place for the next Board of Trustees meeting. At that time, we can talk more in depth about the Ombudsmen program and how he will interface with the community. He noted that there was information released to the media relative to the complaint process at the Home:

Soldiers' Home Family Hotline: 413-552-4765

Soldiers' Home After Hours Line: 413-532-9475

Mr. Joseph Delaney, Ombudsman: 413-527-9901

Mr. Deacon stated that the Board of Trustees is aware that DVS is working with the Department of Elder Affairs to provide a more robust Ombudsman program at the Soldiers' Home in Holyoke. We are awaiting a response from the Department of Elder Affairs on a proposal that has been submitted to them. Mr. Delaney is currently working on several issues with family members. Mr. Deacon has informed him that he has the support of the Department of Veterans Services, and Mr. Deacon is available for any needed assistance.

Cindy Lacoste inquired on how long Mr. Delaney is appointed for? Matt Deacon stated that Mr. Delaney is a volunteer. He was asked for his assistance in this role. My understanding is that he is with the Home until 1/31/21. Isaac mass asked if there is a plan to put the Ombudsman in the operating budget? Mr. Deacon stated that the first step is for DVS to get the proposal put together. Michael Lazo stated that an Ombudsman is not currently in the budget, He will follow-up with Steve Giordano on this. Isaac Mass noted that the VA reported on the lack of an Ombudsman program at their last survey at the Home. The Board would like to see this item addressed on a more significant basis. Mr. Mass would be interested in knowing more about advocacy his being independent, as well as being paid for this service, as he deserves to be paid to do this. Kevin Jourdain stated that our goal is for this to be a well maintained operation, and this is an important task for our integrity and integral to our effective operations in the name of public safety. We cannot depend on a volunteer on a long-term basis. This should be added to the budget as a priority. Secretary Poppe noted that the conference committee did put money in for the Ombudsman program. There will be a commitment once that becomes formalized. Kevin Jourdain asked about the timeline for this. Matt Deacon stated that the information has been sent to the Department of Elder Affairs. He has informed them that we want to provide a substantive update to the Board. He noted that the Department of Elder Affairs has many Ombudsman resources across the state, and that they do provide Ombudsman training. Mr. Mass stated that it would be helpful to put the proposal forward on what you plan to do, so that feedback and insight can be provided from the public. Is there a method for them to weigh in on this? Mr. Deacon stated that they can reach out to him with input. He will provide his email address to the Board Chairman, who will pass this information on to the other Board members and certain coalition members.

**NEW BUSINESS:**Selection of New Medical Director:

Kevin Jourdain stated that Dr. Thomas Higgins will be staying onboard in an interim capacity until 1/31/21. He will be working 1-3 days per week until that time. We are in process of reviewing a candidate for consideration. Secretary Poppe confirmed that a candidate has been identified through the Human Resources process. This can be discussed further in Executive Session.

Approval of new Interim Administrator Mr. Robert Engell effective December 10, 2020:

Administration has identified a candidate for the position of interim Administrator at the Home, Mr. Robert Engell to start on 12/10/20. His resume has been submitted to the Board of Trustees for review. Mr. Collins has asked that this item be tabled until the Board of Trustees meeting on 12/16/20 so he can have an opportunity to review the resume of Mr. Engell. Sean Collins made a motion, seconded by Isaac Mass, to table the nomination of Mr. Robert Engell until the Board of Trustees meeting on 12/16/20. Kevin Jourdain will work with Administration to add this item to the agenda on 12/16/20.

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).

Secretary Poppe stated that the appointment of this position is not done through the Board of Trustees, as it an interim position and not up for decision by the Board of Trustees. Kevin Jourdain stated that he disagrees with this statement. He noted that the prior Interim Administrator appointment was done on an emergency basis. He stated that the Board of Trustees appoints the Superintendent and would say that any Acting Superintendent would be appointed by the Board as well. I don't believe Administration has any authority to appoint this position. Isaac Mass stated that this person is appointed as an Interim Administrator, and therefore this individual would not have the authority to appoint for the positions of Chief Medical Officer of Interim Superintendent. Mr. Mass stated that we need to be careful if is an Acting Superintendent, then this person is acting in the role of Administrator, overseeing the entire facility and the Board of Trustees should weigh in on this. He noted that the Board has the power to remove this person as well. Kevin Jourdain stated that he will not consent to having the Board's power taken away because this is being referred to by another title. He asked for a legal opinion on this for anyone to create this job without Board approval. Sharon Boyle stated that she looks forward to the appointment of a permanent Superintendent by the Board of Trustees. They are working with a selection agency to accomplish this, and the Board has every resource at its disposal. She stated that in order for the Soldiers' Home in Holyoke to operate, there is a need for interim authority to be there and this is the best way for this to happen. We need to have someone in that role. Kevin Jourdain agreed that someone needs to be in that role, but it requires Board approval. He added that the only person who has ruled on this is Judge Ferrarra in the Bennett Walsh case. Sharon Boyle stated that she appreciates the position of the Board, and we want to work together for the good of the Home. We look forward to the Board appointing a permanent Superintendent. Isaac Mass stated that it is imperative that the Board approve this interim appointment, and we have not yet had the opportunity to review his resume. We have to operate within the authority of the statute and opinion of Judge Ferrarra. Gary Keefe inquired if this position would be on contract or in a temporary state employment status? Secretary Poppe confirmed that they are temporary state employees. They will be working until the Board selects a permanent Superintendent. I would make the recommendation that this item be taken into Executive Session for further discussion. Gary Keefe inquired on what process Human Resources went through to come to the decision of Mr. Engell? Sharon Boyle stated that this discussion would be best in Executive Session. Kevin Jourdain stated that the Board was not involved in the process at all to find an interim candidate. He stated that this item will be tabled and discussed further at the Special Board of Trustees meeting on 12/16/20.

Announcement of Committee Assignments and resumption of committee meetings:

Kevin Jourdain reviewed the three committees:

1. Operations Committee: Sean Collins, Chair; Carmen Ostrander, Mark Bigda
2. By-Laws Committee: Cindy Lacoste, Chair; Isaac Mass, Gary Keefe
3. Finance Committee: Kevin Jourdain, Chair; Isaac Mass, Cindy Lacoste

**NEW BUSINESS (cont.):**

He thanked the Board members for their participation to serve on these committees. Respective committees to determine schedule for their meetings. We ask state leadership to cooperate with the Board of Trustees members, as always.

Information request of Attorneys Yankopoulos, Deacon and/or Boyle as requested on November 5, 2020: Motion to request a copy of the agreement between the Holyoke Soldiers Home and/or any state agency acting on our behalf and the Holyoke Medical Center for the care of our residents currently in their care:

The information request has been fulfilled by Attorney Sharon Boyle. The Board of Trustees will review this information.

Information request of Mr. Giordano from November 10, 2020 meeting: please provide the 5 year history of retained revenue accounts and how much carried over annually and preserved vs how much in general fund state appropriation dollars were unspent annually and returned to state:

Steve Giordano has complied with this request. Mr. Giordano to do a follow-up to determine where these funds were spent and how they were handled in terms of the retained revenue account so it can be determined where they were spent. Kevin Jourdain stated that this item can be tabled. Mark Bigda made a motion, seconded by Gary Keefe, to table this item.

Information request of Secretary Poppe from November 10, 2020 meeting: please provide the Board with copies of job descriptions for all three of the following positions: CFO, Treasurer, and Assistant Treasurer:

Kevin Jourdain stated that he did receive the Treasurer job description, but he does not recall seeing the job descriptions for the CFO or Assistant Treasurer. He inquired if these were sent through secured email? Catherine Starr stated there was a management questionnaire provided that includes the job description for the CFO. Secretary Poppe stated that they were unable to locate a job description for an Assistant Treasurer. She confirmed that the CFO job description and management questionnaire were sent. Kevin Jourdain stated that this request has been complied with. Isaac Mass stated that he is concerned that the management summary for the position of Treasurer is outdated – it is from 1995. He inquired who the business manager is that is referred to within this document? He stated that the CFO position is part of the bargaining unit and this is contrary to the statute. There should be a job description for the Assistant Treasurer. He stated that it would be helpful to get information on how we are going to bring what we have to be in compliance with the statute. He inquired on how many of the non-medical staff have job descriptions and are being evaluated on their roles in compliance with their job description? It would be helpful to know how to align with the statute and if there is a broader problem and what we will do to resolve this if so. Gary Keefe stated that every other state agency has this for the role of Treasurer. I would ask if Human Resources can look at this. Isaac Mass stated that the statute requires the appointment of a Treasurer and Assistant Treasurer so we are required to have a job descriptions for these. Kevin Jourdain asked if the CFO is supposed to be in the Treasurer's slot? These are policy decisions, and we need to see if these can fulfill each other. Kevin Jourdain inquired if we have made a decision that the Treasurer is a confidential? It seems that there is the choice to do that. If you go to state law, it gives management the opportunity to pick. Isaac Mass stated that we can propose an amendment to the statute. We are going to pick a new CFO and that should be someone that is chosen by the Superintendent and approved by the Board of Trustees. It is a primary financial position. It makes sense that the Board would supervise at the highest level. Mr. Mass stated that Judge Ferrara's position is pretty clear about hiring and firing and that those appointments are subject to the approval of the Board of Trustees, so presumably we can fire the bargaining unit position, which I don't think is anyone's intent or what the legislature intend for us to do. I don't think it's how we should be operating. Kevin Jourdain noted that the Superintendent chooses the Treasurer, who is historically the highest ranking financial position. It should be appointed by the Superintendent and approved by the Board of Trustees, because that is what the statute says. Gary Keefe inquired if we currently have someone in this position? Mr. Jourdain confirmed that it is a long term employee of the Home that holds the title of Treasurer. Sharon Boyle made a request to continue this discussion in Executive Session, rather than Public Session. Kevin Jourdain requested that Sharon Boyle send the suggested language regarding the Open Meeting Law exception, to discuss this during Executive Session. Kevin Jourdain made a motion to table, seconded by Gary Keefe to table this item. All were in favor to table this item.

**NEW BUSINESS (cont.):**

Motion to request all legal bills of the Board's counsel be paid timely so we may continue to receive services from Morrison Mahoney. This motion be adopted and sent to General Counsel Sharon Boyle:

Kevin Jourdain stated that the legal bills from Morrison Mahoney have not been paid in a timely manner and requested that they be paid for their services. Sharon Boyle confirmed that the firm did an excellent job on their legal work and we are working on getting them paid. Kevin Jourdain made a motion, seconded by Gary Keefe, requesting that all legal bills of the Board's counsel be paid timely so we may continue to receive services from Morrison Mahoney. All in favor to do so.

Motion to adopt the following resolution offered by Kevin Jourdain as follows: "With the release of the Rapid Planning report and needs assessment on November 11, 2020, it is clear that the Holyoke Soldiers' Home needs a new home with significant capital improvements. The Board of Trustees formally requests that Governor Baker and the Massachusetts General Court commit to the full funding of this project to meet the needs of the Holyoke Soldiers' Home now and in the future. We request they agree to a Certificate of State Matching Funds as soon as possible and approve the necessary funds for this vital project. The Board of Trustees also formally requests that Congressman Neal, Senators Warren and Markey and the remainder of the Massachusetts Federal delegation also work diligently to ensure as much federal funding as possible through the VA State Home Construction Grant program or otherwise to ease the burden of this important but expensive project on our Massachusetts taxpayers. Upon adoption, that a copy of this resolution be transmitted as appropriate to all of these elected officials. The Board of Trustees thanks them in advance for their continued support of the Home and the veterans we serve." A link to the report to be attached to the resolution.

Kevin Jourdain reviewed the above resolution, noting that 4/15/20 deadline to get the proposal into the Veterans Administration Construction Grant Program. By 8/1/20, the State has to provide the Certificate of State Matching Funds to go along with our application. We want to ensure we have the financial commitments to move this project forward so that the Soldiers' Home in Holyoke can be the destination for veterans for years to come. Isaac Mass asked how we can verify if the previously past resolution actually got transmitted to the Legislature? Kevin Jourdain stated that that he will confirm that the key individuals have this. He noted that all of us will need to talk with State and Federal Legislatures in terms of building community support.

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

Request from Mr. Giordano to spend \$2,460 from Trustee Fund for IN2L Software License:

Mr. Giordano reported that the IN2L unit is a very well received cognitive software program that has been used with the Veterans for the last 2-3 years. It provides the ability for the Veterans to play memory games, trivia, and to interact with other Veterans at the Home. The invoice is for an annual renewal fee of \$2,460, and he would like to request approval for payment from the Trustee account. Kevin Jourdain noted to the Board members that anything over \$2,000 requires a vote by the Board of Trustees. Isaac Mass inquired if there was a request to fund this out of the EOHHS technology fund we heard about earlier tonight? Mr. Giordano stated that this item has historically been paid out of the Trustee account. Mr. Mass inquired if it is possible for this to be paid out of state appropriation, rather than the Trustee account. He noted that there may be several items that have been routinely paid out of the Trustee account that should be cleared out. After discussion, Mr. Jourdain recommended that the IN2L invoice be paid from the Trustee account this year, but going forward, he requested that Mr. Giordano follow-up to see if this is eligible for state funding in the future. Isaac Mass made a motion, seconded by Gary Keefe to pay the IN2L invoice in the amount of \$2,460 out of the Trustee account.

**NEW BUSINESS:**

Donation to Trustee Account:

Kevin Jourdain reviewed a letter received from Jeffrey Neipp, of the Rolling Thunder Chapter 1 of Vermont on 12/7/20. This is a non-profit organization whose mission is to publicize POW/MIA issues. The organization has made a \$1,000 donation to the Soldiers' Home. Isaac Mass to forward donation check to Steve Giordano for deposit into the Trustee account.

**Adjourn:**

Kevin Jourdain made a motion, seconded by Cindy Lacoste, to conclude the Public Session and move into Executive Session, for the purpose stated on the agenda. Mr. Jourdain noted for the public's awareness that the Board of Trustees will not be returning from Executive Session to Public Session. The Board of Trustees will adjourn after the Executive Session has ended.

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). It was unanimously VOTED to conclude Public Session and move into Executive Session at 7:41 pm.

Respectfully submitted,

Nancy Shimel  
Acting Secretary for the Board of Trustees