



Court Facilities Capital Review Board

Hon. Norman St. George
Chair of the Board

Tina Fernandez, Esq.

Hon. Brad Hoylman-Sigal
NYS Senator

Hon. Charles D. Lavine
NYS Assembly Member

Hon. Willis Stephens Jr.
NYS Assembly Member (Ret.)

Mindy Jeng
Interim Counsel to the Board

Court Facilities Capital Review Board Meeting Minutes

Call to Order: The January 28, 2025, Court Facilities Capital Review Board meeting was held at Empire State Plaza, Agency Building 4, 19th Floor, Albany, New York at 12 noon. The meeting was called to order by Board Chair First Deputy Chief Administrative Judge Norman St. George at 12:02 p.m.

Members in Attendance: First Deputy Chief Administrative Judge Norman St. George, Assemblymember Charles Lavine, Senior Legislative Counsel Jonathan Weinberg (Board member designee representing Senator Brad Hoylman-Sigal), Tina Fernandez, and Willis Stephens Jr.

Others in Attendance: Joe Rossi (Counsel to the Board); Justin Barry (Executive Director of the Unified Court System (UCS))

Discussion Items:

1. Approval of October 15, 2024 Meeting Minutes

Assemblymember Lavine moved to approve the minutes. The motion was seconded by Ms. Fernandez. The Board unanimously voted to approve the 10/15/2024 minutes.

2. Approval of Letterhead

Mr. Rossi shared the proposed letterhead with the Board. A motion was made by Assemblymember Lavine to accept the new stationery with one correction. The motion was seconded by Ms. Fernandez and approved.

3. Counsel's Report & Overview of Capital Plans Solicited

Mr. Rossi shared that UCS requested 14 capital plan amendments from different political subdivisions. UCS received responses from four political subdivisions and substantive capital plan amendments from Greene County and the City of Watertown. Responses from the City of Schenectady and the City of Buffalo were addressed later in the meeting.

Mr. Rossi gave further background information to the Board regarding the process of collecting capital plan amendments from the counties and cities around the state. UCS sent initial letters to 14 political subdivisions in November 2024. The 14 political subdivisions were selected because either they engaged in renovation or a capital project and had not obtained formal approval from the Board or because there was a serious concern with facility deficiencies.

Formal Board approval is necessary to provide state interest aid. UCS is continuing to collect responses from the political subdivisions. UCS will soon be asking the remaining 105 political subdivisions for capital plan amendments and/or responses to deficiencies within their courthouses.

4. Capital Plan Amendments for Approval

a. Greene County

Mr. Rossi shared that Greene County submitted a capital plan to expand its existing courthouse by 47,000 square feet. The annex to the courthouse will have three floors and will house the District Attorney's office, the Public Defender's office, trial court operations, Appellate Division judicial chambers, and parking. This new facility will designate 21,000+ square feet for UCS.

The facility is paid for by serial bond proceeds, a contribution from the New York State Office of Indigent Legal Services, and a cash commitment by Greene County. The Unified Court System will also reimburse Greene County for expenses related to Appellate Court construction.

After a review by the Board, a motion was made to approve the amendment by Assemblymember Lavine. The motion was seconded by Ms. Fernandez and unanimously approved.

b. City of Watertown

Mr. Rossi presented the capital plan amendment for the City of Watertown, which is a courthouse renovation to provide ADA access throughout the building, provide improved access to the building and courtroom, and provide a secure detainee entrance and holding area. The renovated space encompasses 9,500 square feet, and the estimated project cost is \$8.7 million, which will be paid for by proceeds of serial bonds. UCS advised that this is a sufficient renovation at this time and recommended approval of the capital plan amendment. Assemblyperson Lavine made a motion to approve the amendment, and Ms. Fernandez seconded the motion, which was unanimously approved.

5. Political Subdivisions Requiring Discussion

a. City of Buffalo

Mr. Rossi and Mr. Barry relayed that UCS has serious concerns with the Buffalo City Court building. From 2006 to 2022, UCS engaged with city government with no discernable progress. In 2023, the City of Buffalo hired an outside engineering firm to evaluate the building. The engineering firm found the following results:

- The firm determined there was \$45 million in Priority 1 items that must be addressed in a renovation project.
- There were \$12.5 million in Priority 2 items that "could be" in a renovation project.
- There were \$76 million in Priority 3 items that would be "nice to have" in a renovation project.

Some of the issues that must be addressed include structural damage to the building envelope,

leaks, mold, necessary plumbing upgrades, elevator modernization, lack of adequate heat and cooling, inadequate fireproofing and fire suppression materials, outdated mechanical systems, and broken windows. Judges, court staff, litigants, attorneys, and other members of the public come into the building daily and encounter these conditions.

In November 2024, UCS again solicited the City of Buffalo for a capital plan. There was no response from interim Mayor Christopher Scanlon. The Administrative Judge in the 8th judicial district continued to communicate with Mayor Scanlon and his staff about repairing the building or securing a new building, but the City did not respond.

UCS proposed sending a strict 60-day demand letter to Mayor Scanlon, with a certificate from the Board indicating that the court facility is not suitable or sufficient. If the City fails to respond with adequate plans, the First Deputy Chief Administrative Judge and Chief Administrative Judge will take further action as authorized by law.

A motion to approve the proposed actions and to find the Buffalo facility not suitable and sufficient was made by Ms. Fernandez. The motion was seconded by Assemblymember Lavine and unanimously approved.

b. City of Schenectady

Mr. Rossi advised that since 1987, the City of Schenectady has not provided an adequate court facility for the City Court. The City Court has operated in two separate buildings for close to 40 years. In 2002-2004, there were plans to consolidate the City Court. In 2004, the Board deemed that the courthouse was not suitable and sufficient, and UCS planned to move forward to withhold state aid from the city. UCS refrained from imposing financial sanctions since Schenectady was experiencing financial hardship. The insufficiency of the facility was exacerbated with the appointment of a fourth full time City Court judge in 2013. In 2024, Schenectady did engage with the UCS Fourth Judicial District to plan for an expansion of City Court operations to create a fourth courtroom, but did not attempt to consolidate the facilities. Beginning in September 2024, the city no longer engaged in communications with UCS or its own architect regarding the expansion plans.

UCS proposed sending a strict 60-day demand letter to the mayor and for the Board to certify that the City of Schenectady's facility is not suitable or sufficient. If the city does not respond with adequate plans, the Chief Administrative Judge and First Deputy Chief Administrative Judge will act as authorized by law.

A motion to approve the proposed actions and to find the Schenectady facilities not suitable and sufficient was made by Ms. Fernandez. The motion was seconded by Assemblymember Lavine and unanimously approved.

6. 105 Remaining Political Subdivisions

Mr. Rossi explained that UCS began an effort to contact the judicial districts (including relevant Administrative Judges, District Executives, Chief Clerks, and facility managers) to conduct a comprehensive review of court facilities throughout the state. The facility managers

and other UCS staff have identified a list of facility insufficiencies. Letters will be sent to the 105 remaining political subdivisions to request capital plan amendment or responses to address the facility insufficiencies.

7. Next Meeting

Mr. Rossi shared that the next meeting will be at the end of April in Albany.

A motion to adjourn was made by First Deputy Chief Administrative Judge St. George. The motion was seconded by Assemblymember Lavine. The meeting was adjourned at 12:53 p.m. The Board members signed certificates on the Board actions taken.