

CERTIFICATE
Court Facilities Capital Review Board
Schenectady City

WHEREAS the Governor of New York signed into law Chapter 825 of the Laws of 1987, known as the Court Facilities Act, on August 7, 1987, as amended; and

WHEREAS the Court Facilities Act created the Court Facilities Capital Review Board ("Board") pursuant to Section 1680-c of the Public Authorities Law; and

WHEREAS the Governor of New York has duly appointed the members of the Board pursuant to said section; and

WHEREAS the Board is empowered by said section to review and approve overall plans and cost estimates for the design, acquisition, construction, reconstruction, rehabilitation, improvement, furnishing or equipping of facilities of the courts and court-related agencies of the Unified Court System (herein, "Capital Plan"); and

WHEREAS the Court Facilities Act, in Judiciary Law section 219, requires each local government in New York to submit such plans, in the form prescribed by the Chief Administrator of the Courts, for review and approval by the Board; and

WHEREAS in 1989 the Mayor of the City of Schenectady ("the City") submitted a Capital plan in conformance with Judiciary Law section 219 and in the form prescribed by the Chief Administrator of the Courts; and at various times thereafter has updated or committed to update such plan, and each such plan or commitment and the analysis thereof was and is incorporated herein; and

WHEREAS the City was obligated to produce a Plan to consolidate its court, which is currently housed in two separate locations, City Hall and the Public Safety Building, each of which has serious inadequacies; and

WHEREAS the City has repeatedly failed in its obligation to provide and implement such a Plan; and

WHEREAS the City had agreed to submit by July 30, 2002, an interim plan to address the immediate needs of the courts and had also agreed to submit by November 30, 2002, long range plans to address need for a consolidated facility, but failed to meet those deadlines; and

WHEREAS the Chief Administrative Judge by letter dated October 24, 2003, informed the City of its liability, due to these failures, to the imposition of financial sanctions as set forth in section 39 of the Judiciary Law; and

WHEREAS the Court Facilities Capital Review Board reviewed these circumstances in 2004 and disapproved the City's Capital Plan by reason of failure to complete the planning

process and failure to provide a consolidated court facility, while concurring with the Chief Administrative Judge to impose financial sanctions on the City;

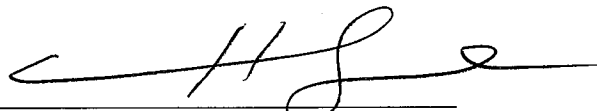
WHEREAS due to the City's financial distress in 2004 and 2005, the Chief Administrative Judge did not impose financial sanctions on the City;

WHEREAS the City repetitively engaged the Unified Court System in what appeared to be good faith efforts at that time, as to avoid financial sanctions and further board action in 2007, 2014, 2015, and 2019-2023, yet repetitively failed to deliver a comprehensive Capital Plan that addressed the needs of the Unified Court System;

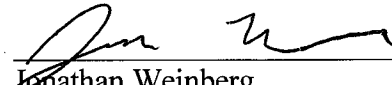
WHEREAS the City's recent efforts in 2024 when the City engaged an architectural firm to design an expansion of an existing facility was halted by the City without explanation in July, and represents a continuation in the City's repetitive failed attempts of engaging the Unified Court System without action, while the expansion would not fully address the Unified Court System's needs;

NOW BE IT CERTIFIED that the Court Facilities Capital Review Board reviewed these circumstances and reaffirms that the City's failure to complete the planning process and failure to provide for a consolidated court facility, shall result in sanctions on the City if they fail to provide a comprehensive Capital Plan within 60 days of a letter authored and transmitted by the Unified Court System; notwithstanding, unless substantial progress occurs, the Chief Administrative Judge or Deputy Chief Administrative Judge, as delegated or so authorized by law, shall be deemed authorized to impose financial sanctions against the City of Schenectady as provided by section 39 of the Judiciary Law on that date, or at any time prior to that date if the City is not cooperating to the best of its ability.

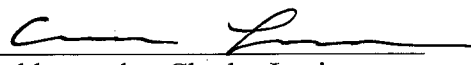
WITNESSETH, this 28th day of January, in the year 2025, on behalf of the Court Facilities Capital Review Board:



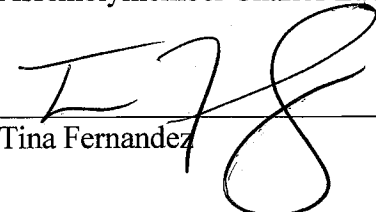
Hon. Norman St. George, Chair



Jonathan Weinberg,
as designated by Senator Brad Hoylman-Sigal



Assemblymember Charles Lavine



Tina Fernandez