

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY FACILITIES

DATE: OCTOBER 28, 2014

COMMITTEE MEMBERS PRESENT: OTHERS PRESENT:

SUPERVISORS GIRARD
WOOD
WESTCOTT
MONROE
STROUGH

JEFFERY TENNYSON, SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS
FRANK MOREHOUSE, SUPERINTENDENT OF BUILDINGS
ROSS DUBARRY, AIRPORT MANAGER
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR
MARTIN AUFFREDOU, COUNTY ATTORNEY
JOAN SADY, CLERK OF THE BOARD
FRANK E. THOMAS, BUDGET OFFICER
SUPERVISORS BEATY
BROCK
CONOVER
DICKINSON
KENNY
MCDEVITT
MERLINO
SIMPSON
TAYLOR
HON. J. TIMOTHY BREEN, FAMILY COURT JUDGE
HON. DAVID B. KROGMANN, SUPREME COURT JUDGE
HON. JOHN S. HALL, JR., SURROGATE COURT JUDGE
KATE HOGAN, DISTRICT ATTORNEY
SHAUN LAMOUREE, UNDERSHERIFF
MICHAEL SWAN, COUNTY TREASURER
LEXIE DELUREY, DIRECTOR OF REAL PROPERTY TAX SERVICES
AMY CLUTE, SELF-INSURANCE ADMINISTRATOR
JON NORRIS, CLARK PATTERSON LEE
MATT SMULLEN, CLARK PATTERSON LEE
DON LEHMAN, *THE POST STAR*
CHARLENE DIRESTA, SR. LEGISLATIVE OFFICE SPECIALIST

Mr. Girard called the meeting of the County Facilities Committee to order at 10:16 a.m.

Motion was made by Ms. Wood, seconded by Mr. Monroe and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the agenda were distributed to the Committee members; *a copy of the agenda is on file with the minutes.*

Commencing the agenda review, Mr. Girard suggested the Committee skip to the discussion on the Court Space Expansion Project, to allow the Court staff who were present to return to their work day. He noted there was a meeting of the core group scheduled for 2:00 p.m. that day with the Courts to further discuss the project. He requested the Hon. David B. Krogmann, Supreme Court Judge, to comment on who was anticipated to attend that meeting.

Judge Krogmann mentioned the Court staff members were in attendance at this meeting to observe and to answer any questions posed by the Committee members. He stated the Hon. Michael V.

Coccoma, Deputy Chief Administrative Judge for all New York State Courts outside of New York City, would attend the 2:00 p.m. core group meeting, as well as the Hon. Vito C. Caruso, 4th District Administrative Judge. He noted Judge Coccoma's Chambers were in Cooperstown, New York and he thought it was significant that he was willing to travel a great distance to attend the meeting and displayed his interest in the future of the Warren County Court System. Judge Krogmann advised he had kept Judge Coccoma informed of all of the available information, although he had not spoken with him directly.

Mr. Girard requested Jeffery Tennyson, Superintendent of the Department of Public Works (DPW), provide an update on Clark Patterson Lee's (CPL) progress. Mr. Tennyson stated that Jon Norris and Matt Smullen, of CPL, were in attendance and had been working on some additional concept plans for the Court Space Expansion Project. Based on the direction received from the County Facilities Committee and the Board of Supervisors, he continued, they were reviewing options to extend the existing court space on the Municipal Center Campus, as well as displace some County Departments to extend into the existing Municipal Center space. He said the concepts were in the process of being developed and were not ready for presentation at this time. He added they were anticipating the concept plans would be ready for presentation within the next couple of weeks, prior to the November 21, 2014 Board Meeting. Generally, Mr. Tennyson informed, the options included some additions to the existing building, as well as the displacement of some County Departments, such as the Public Health and WIC (Women, Infants and Children) Offices to create additional space.

Mr. Girard asked if any of the Supervisors present had questions for Mr. Norris or Mr. Smullen. Mr. Westcott said he would like to see a needs versus wants analysis of the Family Court current space recommendations. He stated the current Family Court space was approximately 5,000 square feet and the suggested necessary square footage was 21,000 to 22,000 square feet. He stated he would like to see a breakdown of the square footage necessary for the existing Family Court and the new Family Court Judge. He expressed he also wanted to see the difference between what was necessary and what was desired. Ms. Wood noted some of that information had been provided in the past but it was her understanding that although the recommended square footage was sufficient, it was not ideal for the future growth of the courts. Mr. Girard recalled there had been a previous comment that Mr. Norris might have included overages on the necessary square footage for safety or other reasons. He said that in his discussions with Mr. Norris and Mr. Smullen, they noted there were principals, formulas and precedents which were followed in determining the necessary square footage.

Mr. Smullen distributed draft concept plans for an addition to the existing Family Court space to the Committee members; *a copy of the draft concept plans is on file with the minutes*. Pertaining to Mr. Westcott's question, he replied the draft plans for Concept 1 solely addressed the needs of the courts based on Mr. Norris' interviews with Court staff. He stated originally CPL had presented the existing court needs in a chart format and he believed the draft concept plans would provide a more visual representation. He noted CPL was also developing plans for two additional concepts with similar square footage.

Mr. Norris apprised he wanted to present an understanding of New York State Office of Court Administration (NYSOCA) Guidelines before Mr. Smullen proceeded. He stated the Court Facilities were required to be handicapped accessible and needed an adequate number of courtrooms, chambers, deliberation rooms, attorney/client conference rooms and clerical space, as well as providing a certain degree of confidentiality. He expressed the interview process had included discussions with Court staff, court-related staff, the 4th Judicial District and the NYSOCA. He noted each judge had associated clerical and security staff, as well as judge's staff (law clerk, secretary,

etc.). He commented the courts were required to have prisoner holding areas in separate patterns of circulation from the Court staff and members of the public. He noted waiting rooms were also required within the guidelines.

Mr. Smullen said page 3 of the draft plans represented the Concept 1 floor plans layout which he explained, as follows:

- ▶ the yellow areas represented the Family Courtrooms;
- ▶ the green areas represented the Judges Chambers and Judge's Staff Offices;
- ▶ the dark blue areas represented the Court Conference Rooms;
- ▶ the purple areas represented the Incarcerated Holding Areas;
- ▶ the tan areas represented the Security Staff Space;
- ▶ the orange areas represented the Court Support Staff Offices; and
- ▶ the light blue area represented the Court Waiting Room.

Pertaining to the Family Courtrooms (yellow), Mr. Smullen stated each of the two courtrooms would contain six council tables. He explained the NYSOCA Guidelines for courtroom size were between 600 and 900 square feet but the guidelines were dated and did not account for council tables and handicapped accessibility. Mr. Norris interjected the NYSOCA Guidelines had been established prior to the Americans with Disabilities Act (ADA). Mr. Smullen said each of the two courtrooms in the floor plans were 1,600 square feet. He noted the Judge Magistrate Hearing Room was 700 square feet and was similar in size to the Hon. J. Timothy Breen's, Family Court Judge, existing courtroom. Mr. Norris commented it was important to Judge Breen, as well as the NYSOCA to have two means of egress from each courtroom.

Concerning the Judges Chambers (green), Mr. Smullen explained there were two sets of offices for each Family Court Judge and their Law Clerk and Secretary, as well as two Chambers for visiting judges. He noted the Visiting Judge Chambers would be set up to double as jury deliberation rooms. Mr. Norris commented Judge Breen served more than just Family Court, as he tried other cases as well and each courtroom would have a civil jury box to allow for flexibility.

Referring to the Court Conference Rooms (dark blue), Mr. Smullen said the floor plans included three conference rooms for each Family Courtroom and he noted there was no provision for a separate conference room for the Judge Magistrate Hearing Room. Mr. Norris stated the NYSOCA required a minimum of two attorney/client conference rooms per courtroom and he pointed out the determination of how many conference rooms to include was an educated decision based on concern and respect. Mr. Smullen advised Court staff had indicated the need for multiple parties involved in different court situations to meet in private locations.

Pertaining to the Incarcerated Holding Area (purple), Mr. Smullen commented the existing Court Facilities did not include any designated areas for prisoner holding. He stated the room labeled as "Vehicle Sally Port" was originally intended to be part of the building but would most likely be completed as a fenced in area which would save some square footage and expense. He apprised the floor plans included separate secure holding cells for male, female and juvenile prisoners. He pointed out the corridor in front of the Incarcerated Holding Area would be secured and tied into the public corridor. When the corridor was in use, he continued, the other doors would be in "lock down" mode. Mr. Norris interjected the corridor would be locked as a prisoner was transported to the appropriate courtroom and afterwards would be unlocked for staff circulation. He added there would also be two secured attorney/client conference rooms which were not included in the existing facilities but were included in the NYSOCA Guidelines.

Concerning the Court Waiting Room (light blue), Mr. Smullen advised the size was based on 12 square feet per person for the anticipated average number of people in the courtrooms daily. He mentioned that since this was for Family Court, a Child Waiting Room had been included, as well as public bathroom facilities. Mr. Norris stated the Chief Clerk and Deputy Chief Clerk of Family Court had indicated the number of people anticipated to attend court on a daily basis.

Referring to the Support Staff Space (orange), Mr. Smullen said this area included modestly sized cubicle areas, a lunch room, records storage and restroom facilities. Pertaining to the Security Staff Space (tan), he stated this area included the public entrance with magnetometer screening, locker rooms, the Security Office, a secure room, a control room and a bathroom facility. Mr. Norris pointed out the locker rooms were per staff account and he said the secured room was in case a member of the public entered with a weapon or for use if a person was arrested at court.

Mr. Smullen apprised the floor plans presented a better visual representation of the approximately 20,000 square feet, as well as needs versus wants. Mr. Girard said the existing Family Court Facilities were 5,000 square feet and an additional judge would double the space to 10,000 square feet. He asked for an explanation of how the amount of 20,000 square feet was obtained. He questioned if the existing space was so deficient that the need was now extreme. Mr. Smullen responded some of the deficiencies inherently took up space. He presented the example of the incarcerated holding area which did not exist in the current facilities and accounted for approximately 2,000 square feet. He noted the existing facilities required a prisoner to be transported down public corridors and through public areas. Mr. Norris commented there was also a deficiency in confidentiality which was an NYSOCA Guideline. He stated the floor plan showed a public counter area for Family Court and the types of confidential conversations that would be held in this area were currently held in the waiting room. He advised in 2006 or 2008, Judge Breen had requested him to observe his courtroom and he did so for 4 hours and felt the topics of discussion were very intense. Mr. Girard asked for a comparison of the square footage of the proposed Court Waiting Room versus the current one. Mr. Norris replied the current waiting room did not accommodate 12 square feet per person. Mr. Girard asked if that square footage was a necessity and Mr. Norris replied it was an NYSOCA Guideline. Mr. Norris commented he had once waited for the Hon. John S. Hall, Jr., Surrogate Court Judge, in the Family Court Waiting Room and he felt "like a sausage".

Mr. Girard asked for a comparison between the proposed Court Support Staff Offices and the current ones. He added a proposed lunch room had been discussed which he did not believe was included in the existing facilities. Mr. Norris responded the proposed floor plans included space identified for certain activities and the NYSOCA had guidelines for the size of the cubicles for court clerks. He noted Ed Rodman, Chief Architect for the NYSOCA, had reviewed the proposed floor plans. Mr. Girard asked if the process was that after the completion of the needs assessment and floor plan layout, they would be forwarded to Mr. Rodman for approval and Mr. Norris replied affirmatively. Mr. Norris explained New York State Court was a Unified Court System and the Warren County Court System, the 4th Judicial District and the NYSOCA would collectively review and discuss the needs assessment. He added Mr. Rodman and Bill Clark, of the NYSOCA, would be the receivers of the comments resulting from that review and CPL had requested a deadline for completion. He advised he had received a phone call from Mr. Rodman on the morning of the deadline and the only comment received pertained to the size of the Judges Chambers. Mr. Norris stated the NYSOCA Guidelines for the size of Judges Chambers had increased over time from 200 to 250 square feet and was currently 300 square feet. Mr. Girard asked for clarification that the comments had indicated the layout was acceptable with the exception of an increase in square footage for the Judges Chambers from the proposed 250 square feet to at least 300 square feet. Mr. Norris

responded only the needs assessment had been reviewed, not the floor plan layout. Mr. Girard asked how CPL would be able to reduce the square footage if the Committee decided the approximately 20,000 square feet proposed was too excessive and continue to remain in compliance with the NYSOCA Guidelines. Mr. Smullen explained the actual needs of the Family Court calculated to approximately 24,000 square feet and Mr. Norris and his staff had already worked to reduce the square footage as much as possible. He added the elimination of the Vehicle Sally Port by changing it to a fenced in area and the sharing of the corridors had reduced the necessary square footage. He added the size of the Court Waiting Room had also been reduced. He explained they had reduced what was calculated as needs (24,000 square feet) to what was presented as Concept 1 (approximately 20,000 square feet). Referring to Mr. Westcott's question about needs versus wants, Mr. Smullen said if there was anything that appeared to be more of a want than a need he would encourage the Committee members to defer to the Court staff.

Mr. Girard asked if the needs assessment and square footage guidelines would be applied into the renovations for the other two concepts which included dislocating County Departments in order to expand into the Municipal Center. Mr. Smullen replied affirmatively noting it would be an "apples to apples" comparison. He commented it would be more difficult to gain some of the efficiencies with the other two concepts compared to the new addition, Concept 1. He advised CPL was finding some challenges which would be described when the other two concepts were presented.

Mr. Westcott commended CPL on the Concept 1 floor plan and noted the color coding was helpful in understanding the needs. He said the flow and format of the floor plan made a lot of common sense for someone without an engineering background. He asked if Warren County had been out of compliance with the NYSOCA Guidelines for many years or even decades and Mr. Smullen replied affirmatively. Mr. Westcott commented that explained a lot of the additional square footage and he noted there were budget constraints. He mentioned Warren County was mandated to provide space for the new Family Court Judge and asked if they were also mandated to come into compliance with all of the past NYSOCA regulations. Mr. Norris recalled that in 2000, CPL had worked with Warren County to review the second floor and the north wing of the first floor of the Municipal Center as a possible way to address the non-compliance because there had been pressure from the Courts to come into compliance at that time. Mr. Smullen said he did not believe it was absolutely necessary to come into compliance at this time and he added Warren County could just construct the addition for the new Family Court Judge. Judge Breen informed both Essex and Washington Counties had been pressured by the NYSOCA to come into compliance with the guidelines by threatening to withhold State funding. He said that was why new Court Facilities had been constructed in Essex and Washington Counties. Mr. Norris apprised in the last 35 years he was aware of two threats made by the NYSOCA to withhold Department of Social Services (DSS) State funding if the Counties did not come into compliance. He added the funding was never withheld because the Counties constructed new facilities which were in compliance.

Ms. Wood apprised Warren County was aware they were out of compliance and there was the potential of a lawsuit or for someone to be injured. She added she would not be comfortable with failing to address the issues when the County had been out of compliance for so long. She stated since it was necessary to expand the existing Court Space, the County should also come into compliance. Mr. Thomas commented the layout was nice; however, he asked if it would be more cost effective if the shape of the addition was more boxlike. Mr. Smullen replied the County would gain more by reducing the square footage with a layout which was more efficient than they would by boxing the layout. Mr. Norris said the only place he thought boxing might work would be to reduce the "bump out" of the Child Waiting Room so that it aligned with the public restrooms.

Mr. Westcott asked if all of the color coded area on the floor plan reflected new construction and Mr. Smullen replied affirmatively. Mr. Smullen pointed out the Concept 1 floor plan was presented for the purpose of discussing the amount of square footage. Pertaining to the dramatic increase in square footage, he continued, the courtrooms represented a lot of the increase as Judge Breen's existing courtroom was small and cramped. Mr. Westcott recalled Option 2 presented at the October 8, 2014 Special Board Meeting had been to try to identify space within the existing Municipal Center and he asked if that attempt would continue. He noted the County was trying to find ways to reduce the impact to the budget by accommodating the new Family Court Judge in the most cost effective manner. Mr. Smullen responded the other two concepts would involve relocating some County Departments offsite and utilizing the existing space in the Municipal Center.

Mr. Strough commented the white areas on the Concept 1 floor plan represented existing Municipal Center space and he asked which portions of the Court System would be relocated in that area. Mr. Smullen advised the white areas represented the future phases of the project which would include renovations of the current court space. He said a lot of the renovations would be completed by DPW staff members and the renovations would address the needs of the entire Court System. He pointed out the Courtroom in the white area would be for multi-purpose use. Mr. Norris stated during the interviews with Court staff, they had asked the frequency of jury impaneling and courts and Concept 1 addressed a multi-purpose Courtroom and jury assembly. Mr. Monroe asked if the cost estimate included the white areas and Mr. Smullen replied in the negative noting it reflected future renovations. Mr. Norris explained there was a perceived need to have three courtrooms as opposed to the current two courtrooms. He said there was currently a large courtroom for Supreme and County Courts, as well as the County Courtroom and he felt the need was evident to have a third courtroom. Mr. Monroe asked if the courtroom in the white area would be for Supreme and County Courts and not Family Court and Mr. Norris replied affirmatively and noted this courtroom would be in the location of Judge Breen's present courtroom. Mr. Tennyson apprised this would be a multi-purpose courtroom which would also address the need for a large space for jury assembly. Mr. Girard commented CPL would be presenting other phases of the Court Expansion Project in addition to the Family Court, as well as how the other phases could be completed with DPW staff.

Judge Krogmann advised all of the Court staff currently occupying the white area of the floor plans would be relocated into the proposed new addition. He voiced his concern with the concept of completing the Court Expansion Project in phases. He stated the immediate concerns raised by the new Family Court Judgeship had to be addressed; however, he continued, the concept of completing the Project in phases did not address the needs of the rest of the Court System's concerns which were just as important. He commented the white area of the proposed floor plans was extremely important. He said when he had met with Mr. Norris the proposal had included the construction of an additional County/Supreme Courtroom and perhaps a Jury Assembly Area, as well. He mentioned that he had informed Mr. Norris this would not be necessary and would be over designing as it was possible to combine the two uses into a multi-purpose courtroom/jury assembly area. Judge Krogmann expressed that was exactly what had been included in the proposed floor plans. He stated the creation and improvement of the white area of the floor plans was essential and just as important as solving the Family Court needs, now and not in the future. He advised the additional courtroom/jury assembly area was necessary as the lack of an appropriate jury assembly area was clogging up the entire Court System because currently the main Supreme Courtroom was used as a jury selection room. He expressed these renovations were needed sooner rather than later.

Judge Hall apprised everything represented on the proposed Concept 1 floor plans, including the white area, was on the needs list for the Court System and not the wants list. He opined there would never be a better time for the County to borrow money than right now when the interest rates were the lowest they had been in the last 30 years. Currently, Judge Hall continued, there were three

judges with three courtrooms and there was going to be a fourth judge so at least one additional courtroom would be required. He added that would still not be enough courtrooms as the Court System really required six courtrooms. He pointed out that his and Judge Krogmann's courtrooms were not represented on the proposed floor plans, meaning Concept 1 would result in a total of five courtrooms, including the multi-purpose courtroom/jury assembly area. He noted visiting judges often tried cases in the Warren County Court System and would require an available courtroom. He reiterated nothing on the proposed Concept 1 floor plans represented a wish list item.

Pertaining to the importance of a jury assembly area, Judge Hall presented a scenario of him drawing a jury for a murder case wherein the defendant's lawyer requested a motion to limit what the District Attorney submitted as proof and indicated that the defendant was not read his rights or requested that prior domestic abuse charges not be introduced. In this scenario, he continued, it would be necessary to have a separate courtroom where this conversation could be held away from the presence of the jury. He advised currently there were often times where there was no available courtroom for this type of proceeding and he indicated he had held these proceedings in the Court Magistrate's Office which was completely unsafe and a violation of fire codes. He said there had been times he felt comfortable about the defendant and brought them into his Chambers; however, he continued, this was not the best idea.

Judge Hall pointed out the proposed Concept 1 floor plans included Visiting Judge Chambers that were 200 square feet and Family Court Judge Chambers which were 250 square feet and he noted the new regulation for judges chambers was 300 square feet. He explained this was not because judges wanted large offices for prestigious reasons but was because judges chambers were public space where a lot of law happened. He stated on a typical day he would have a defense lawyer, District Attorney, Probation Officer and an employee of a treatment or mental health agency sitting in his office discussing a particular case. He commented for Family Court Judges there were often more parties involved in an individual case. He mentioned 200 square feet was not large enough for the activities of a judge's chambers.

Judge Hall reiterated everything on the proposed Concept 1 floor plan was a need and he expressed the floor plan was inadequate as presented. He stated the Warren County Court System needed five courtrooms. He advised if the County was going to borrow money they should do so for the entire project and not just for the Family Court addition. He said his understanding was that Warren County owned his courtroom and the State paid to rent it. Judge Breen interjected it was not rent, it was a reimbursement for the cost of maintenance. In Essex County, Judge Hall commented, the Family Court had been completely inadequate and the State had threatened to withhold the maintenance reimbursements until the facilities were brought into compliance. He expressed Warren County had been out of compliance for nearly 30 years which was unfair to the public. He added people needed to be safe and judges needed to have chambers of an adequate size to accommodate conferences.

Mr. Monroe stated the Committee needed to think on a long term basis and he mentioned the existing court facilities had served Warren County's needs for more than 40 years, although not well for the last 10 to 15 years. He agreed with Judge Hall that interest rates were at a historic low and he said it would be a mistake to not bring the court facilities into full compliance now. He apprised he had recently been emailed the long term debt service of the County which showed that this year the debt service was \$4,444,000 and would decrease by \$1.2 million in the next 4 years and by \$3 million in the next 10 years. He advised the County had the opportunity to finance the project at a very low interest rate with a small impact on the debt service for the next 2 to 3 years. Mr. Monroe stated the County was nowhere near their debt ceiling and should have the vision to look forward for the next 40 years and not look for ways to cut corners now. He said the County had the ability

to borrow money to complete the project in the correct manner which would serve the people of Warren County for the next 40 years.

Judge Breen apprised the Security Staff Space (tan) on the proposed Concept 1 floor plans would serve the entire Court System. He said the Security Staff currently had a locker room by the Supreme Court and the female Security Officers did not have a separate locker room. He pointed out the Incarcerated Holding Area (purple) did not currently exist although holding cells and secured areas were part of the NYSOCA Guidelines. He expressed that an additional Family Court Judge would not only require an additional Family Courtroom (yellow) but also the additional Judges Chambers and Judge Staff Offices (green). He noted each judge had staff, such as a court attorney and a secretary and the additional Family Court Judge meant there would be additional staff. He added the State budget had also included additional back office staff. Judge Breen opined the Waiting Room (light blue) was the most volatile area of the Court System and he was sure Security staff would agree with that assessment. He said it was dangerous in the waiting areas, especially in Family Court, and the additional space was needed. He informed that a woman had been shot by her estranged spouse in Albany County in their old Family Court Waiting Room and in general people in the waiting area were very riled up.

Judge Breen mentioned he had pushed Senator Betty Little for the additional Family Court Judge. He explained the NYSOCA had a bill to create 20 new Family Court Judgeships in New York State and Warren County had not been on the list. He said he had contacted Senator Little and informed her that Warren County was short one judge for the last 50 years and this was an opportunity to remedy the situation. He noted Warren County's population had warranted 3 State - County level judges and had 2, himself and Judge Hall. He advised Senator Little had benefitted Warren County by pushing to have them included on the list. He noted the bill was revised to create 25 new Family Court Judgeships and Warren County was included on the list.

Mr. McDevitt commented he and Judge Hall had recently discussed the fixed characteristics which made it in Warren County's best interests to complete this project sooner rather than later. He listed those characteristics, as follows: the current record low interests rates; the fact that Warren County owned their own land; and the convenience of having the entire Court System under one roof. He advised there was an unpredictability when it came to renovations and he asked if there was much chance of finding something during the renovations which would increase the costs. Mr. Smullen responded there was always that chance with renovations which was why CPL tried to be conservative with their costs estimates for new construction and renovations. He indicated there could be issues, such as the presence of asbestos or increasing floor loads. He commented that CPL intended to help the County by determining what work could be completed by DPW staff in order to lower expenses. A brief discussion ensued.

Mr. Westcott recalled during the October 8, 2014 Special Board Meeting presentation it was indicated that the cost estimate for the construction of the new Family Court addition was \$8.6 million which represented an annual payment of \$600,000 to \$700,000. Mr. Smullen said he believed it had been in the \$500,000 to \$600,000 range. Mr. Westcott stated the cost estimate for the renovations to the existing court space was \$7.5 million and Mr. Smullen agreed. Mr. Westcott asserted the cost estimate for the entire project was in the \$15 million to \$16 million range. Mr. Smullen responded if the County decided to address the comprehensive needs of the entire Court System then that amount would be correct. Mr. Westcott estimated the annual payment for the entire project would most likely be around \$1 million. He said the proposed 2015 County Budget would require the use of \$3 million from the Fund Balance in order to retain the desired percentage of increase to the tax levy. He said he just wanted to ensure everyone realized the reality of the

dollar amounts and not just the necessary square footage. Mr. Girard clarified that Concept 1 had a cost estimate of \$8.6 million for the project with an anticipated annual payment of \$609,000 to \$667,000. Mr. Monroe reiterated the long term debt service was currently \$4.4 million and 3 years from now it would be \$3,381,000. Mr. Brock voiced his concerns about Judge Hall's indications that the proposed floor plan was still inadequate. He asked how much more it would cost to address the issues mentioned by Judge Hall and noted that if it was only a few hundred thousand more then it might be worth considering. Mr. Smullen mentioned Judge Breen was correct in his statement the security entrance would serve the entire court system. He said it made sense to include this portion of the floor plan because there were some efficiencies to be gained. Mr. Smullen continued Judge Hall was correct in his statement that the proposed floor plans really only accounted for the current needs of the court system and not future growth. He stated CPL wanted to work with the County to develop solutions which met their needs. He added if the Board decided that the possibility of future expansion should be included then CPL would develop the plans. A brief discussion.

Mr. Girard requested Chairman Geraghty's opinion on the matter. Chairman Geraghty stated that he would like to see the County address the court space issue on the Municipal Center Campus in a fashion which would accommodate the Warren County Court System for at least the next 40 years. He said he understood the budgetary concerns but he did not want to see anyone being hurt. He expressed the County should not use the word "mandate" in referring to the need to provide space to the new Family Court Judge. He commented the County had requested the additional Judgeship and Senator Little had pushed for it. He opined Warren County was fortunate to receive the additional Family Court Judgeship and now needed to accommodate the necessary space. He reiterated the County should expand the court space for the future needs and he expressed that he wanted to see it constructed on the Municipal Center Campus. He continued by saying he did not feel it was wise to relocate other County Departments offsite as it was convenient for the constituents to have all County services on one campus.

Mr. Girard thanked the Judges for their input and said the next discussion pertained to Municipal Center security which might be of interest to them if they wanted to remain.

Martin Auffredou, County Attorney, stated recent events in the United States and Canada were a reminder that we lived in perilous times and government officials and employees were vulnerable and could be targeted. He said he had been employed by Warren County for a little over three years and for some time he had been concerned about the security of the Municipal Center. He commented he was aware the topic had been discussed previously and that Needham Risk Management Resource Group, LLC had completed an assessment which had been considered by the Board of Supervisors. He mentioned he was also aware that a comprehensive study was being completed for not only the Court Expansion Project but also to determine if a portion of the Municipal Center could be renovated to meet some of those needs.

Mr. Auffredou asserted there were a couple of issues which should be considered now, the first of which was the time that the Municipal Center was open. He opined the building was opened far too early in the morning and had too many access points. He stated the Municipal Center was vulnerable and one of the areas where it was most vulnerable was by the Real Property Tax Services (RPTS) Office. He noted anyone could enter the Municipal Center through that door which had Lexi Delurey's, Director of RPTS, Office on the immediate right and the RPTS Staff Office on the immediate left. He commented that entering the main entrance to the Municipal Center, the County Attorney's and District Attorney's Offices were on the immediate left and the Tourism Office was on the immediate right. He acknowledged there was some security in place to benefit the District Attorney's Office.

Mr. Auffredou informed he had discussed this matter with several Department Heads who shared his concern. He acknowledged he was not an expert on building security but he knew a risk when he saw one and he felt a discussion should be held on the matter. He advised he had requested the presence at this meeting of Amy Clute, Self-Insurance Administrator; Shaun Lamouree, Undersheriff; Kate Hogan, District Attorney; Michael Swan, County Treasurer; and Ms. Delurey. He added that Joan Sady, Clerk of the Board, was also present and he had discussed the matter with all of these Department Heads, as well as others who were not in attendance. Irrespective of the future plans for the Municipal Center, he continued that he felt now was the time to address the issue of securing this building. He apprised there were things which could be done immediately to address these concerns that would have very little impact on staff and little, if any, impact on the public. He said he had discussed the matter with Mr. Tennyson and he appreciated the item being added to the agenda. He noted if Mr. Girard felt it was appropriate Ms. Clute and Undersheriff Lamouree could discuss measures which could be taken immediately.

Ms. Clute recalled a couple of years prior the issue had been discussed and Needham Risk Management Resource Group, LLC, as the County's Safety Consultant, had given a presentation. During the presentation, she continued, it had been suggested that the majority of the doors to the Municipal Center be secured with about 4 doors being left unlocked for public access. She commented she was in favor of securing more doors and limiting the access to the Municipal Center by funneling members of the public through the same door. She stated she was very concerned about employee safety, as well as the safety of members of the public when they were in the building. Ms. Clute reminded the Committee members there had been an event concerning safety the previous week at the Human Services Building (HSB) and she was concerned that if a similar event happened at the Municipal Center it would be difficult to keep members of the public from reentering the building. She noted during a fire evacuation or drill there was a problem with keeping the public from reentering the building. She advised that limiting access to one main entrance would make the public safer, as well as the employees. Needham Risk Management Resource Group, LLC had been unable to send a representative to the meeting, she continued, but she was willing to request that they attend a future meeting to provide a more thorough review or answer any questions.

Ms. Hogan informed that every Wednesday the Corrections van transported inmates to the Municipal Center who were escorted through the back door (Door #8) and under the stairwell. She noted inmates were very aware of the door used by District Attorney and County Attorney employees to access their offices. About a year and a half ago, Ms. Hogan continued, she had received a death threat, against herself and her staff, from an inmate about whom the State Police had released a teletype because the threat was considered legitimate. She commented the inmate was currently incarcerated but at the time the form of security had been to advise the employees of the Office of the death threat and place a photograph of the inmate next to the secured door, so employees would know not to let him enter which was not a prudent means of security. She said she had confidence in the Sheriff's Department which had been informed of the death threat and had increased patrol of the Municipal Center. She stated something should be done to address the transport of inmates into the building for court appearances.

Undersheriff Lamouree said that Sheriff York could not attend the meeting but had informed him there was a need to better secure the Municipal Center. He commented a Security Guard had been stationed near the Department of Motor Vehicles (DMV) entrance as of December of 2013 but there were many different means of entering the building. He recalled the Sheriff's Department had obtained grant funding through the Office of Homeland Security which resulted in special locks being installed on the Municipal Center entry doors which required the use of a FOB to enter. He added the FOB's and locks had never been activated. He advised the Municipal Center could be better

secured by activating the FOB entry system so that certain doors would be restricted for employee access. He added the members of the public could be channeled through one entrance with a proper security presence, such as a walk through magnetometer. Currently, he continued, the building was fairly wide open and the Sheriff's Department felt it was at risk and agreed with Mr. Auffredou's assessment.

Mr. Tennyson said when Mr. Auffredou first approached him with the matter, he had quickly agreed the employees of the Municipal Center were at risk. He informed he had requested Frank Morehouse, Superintendent of Buildings, to complete an assessment of the hardware of the Municipal Center. He said almost all of the doors of the Municipal Center had the magnetic locks and FOB readers which he acknowledged had not been activated. He added the main entrance of the Municipal Center was the only door where a magnetic lock and FOB reader had not been installed and they had the ability to issue FOB's to the Supervisors and employees for access through these doors. He explained the FOB readers could be used with either the FOB's or the existing employee identification cards. Mr. Tennyson stated he and Mr. Morehouse had discussed the entrances most often used by members of the public. He said some members of the public used the main entrance by the flag pole but the majority of the people who entered the Municipal Center utilized the DMV entrance. He assessed the majority of the people who entered through doors other than the DMV entrance were elected officials or employees. Mr. Tennyson informed he had asked Mr. Morehouse if there had ever been a complaint from an employee or member of the public concerning the magnetometer and security personnel at the HSB and the answer had been no. He said the HSB had been secured with the magnetometer and two Security Guards because that was the current standard for government buildings. He stated the main entrance to the HSB was very busy and seemed to function well with the magnetometer and Security Guards. He opined the County had more experience now than they did a couple of years ago when Needham Risk Management Resource Group, LLC had first presented the security plan. He opined the risk level was increasing and the concept of better securing the Municipal Center deserved careful consideration. Mr. Tennyson advised the system was in place and could be activated with very little cost. As far as the hours the Municipal Center Building was open, he continued, that was controlled by the Buildings & Grounds staff and could be changed upon request as early as tomorrow morning. He suggested one entrance could be designated for use by employees who started work before the designated time.

At the Court Security entrance, Judge Breen informed, to date this year, Security Personnel had confiscated 347 items from members of the public which included weapons, knives, mace and other items. Mr. Strough apprised of a conversation with William VanNess, Queensbury Town Councilman, whereby he had been informed of an incident wherein Connie VanNess, Messenger, had been in the Print Shop located in the basement of the Municipal Center and a male member of the public had wandered in, alarming her because she was alone at the time. Mr. Girard said the presentation by Needham Risk Management Resource Group, LLC had included some good recommendations which had not been implemented due to the concern that it would make it more difficult for members of the public to access County services. He noted Supervisors Monroe, Wood and Taylor had been on the Committee at the time and he asked if they felt it was appropriate to request another presentation.

Mr. Westcott asked if the presentation had included the possibility of purchasing a new identification card system at an estimated cost of \$10,000 to \$15,000. He said if it was just a matter of activating the FOB entry system at a minimal expense then the scenario would be different. Mr. Morehouse explained there were two separate systems: the card system which was for County identification cards and the time clocks; and the FOB entry system. He commented that because of the bidding

process for the construction of the HSB, the County had ended up with two FOB systems; however, he continued, the two systems could be "married" for use with the same FOB. He presented the example of an employee who accessed both buildings on a regular basis and pointed out their FOB would be programmed to work on both systems. Mr. Morehouse recalled 10 or 12 years prior, it had been suggested that all of the doors of the Municipal Center be locked with the exception of the DMV entrance for which the possibility of a magnetometer had been discussed. He added the discussion had included the possibility of reconstructing the entrance to the County Clerk's Office to make room for the magnetometer and a waiting area. If a magnetometer was not purchased, he continued, it was suggested that the next set of doors down the hallway be locked which would require Departmental staff to greet and escort the visitors to their office. He commented the grant funding from the Department of Homeland Security had been used to purchase the magnetic locks, FOB readers, FOB's and software to secure all of the doors and elevators. He said everything was ready to be programmed and last year the Information Technology Department had upgraded the identification card system. He mentioned a couple of additional FOB readers would need to be purchased and the cost would be minimal.

Mr. Brock stated ever since the shooting at a Columbine, Colorado school several years prior, most school systems locked all of their doors with the exception of one entry for use by the public. He opined this concept did not seem to impede the public from accessing the schools when necessary and most people understood the reasoning. He voiced his opinion that the Municipal Center Building was wide open and he noted he was accustomed to the concept of FOB access. Mr. Monroe said he was in favor of Mr. Auffredou's suggestion to open the building later in the morning and also in favor of securing as many doors as possible with the FOB entry system. He commented both measures could be implemented immediately. He apprised he would also be in favor of an additional presentation from Needham Risk Management Resource Group, LLC to determine if there were additional measures which should be taken. He expressed his concern that the building was used by the public and he did not want it to be overly-secured to the point that people were not comfortable with entering.

Mr. Auffredou informed he usually arrived around 7:30 a.m. and there was one employee from his Office and one from Ms. Hogan's Office that routinely arrived before him. He voiced his concern with their safety due to the building being wide open during the early morning hours when it was still dark outside. He said he felt that 6:30 a.m. or 7:00 a.m. was too early to unlock all of the doors and he would appreciate it if the Committee could determine a more appropriate time to open the Municipal Center.

Mr. Auffredou mentioned the Municipal Center Campus had signage on the grounds which directed members of the public to the appropriate offices. He noted the current signage would need to be reexamined if the County decided to limit the public access points into the Municipal Center. He presented an example of an elderly couple who entered the building by the County Attorney and District Attorney Offices (Door #8) and were confused as to where they needed to go. He said he had directed them to the appropriate location which required them to return to their vehicle and drive to another building on the Campus. Mr. Auffredou stated if the building had one main entrance and the public was directed to it, the Security personnel could direct people to the appropriate Department or building. He said it was not uncommon to find a member of the public wandering aimlessly by his Office because they did not know where to go. Mr. Tennyson agreed with Mr. Auffredou and said there was sign clutter in front of the Municipal Center which could be simplified to direct members of the public to the DMV parking lot or the HSB. He mentioned the possibility of kiosks which contained maps, similar to those found in malls, to direct people to the appropriate location. He commented there were times he had entered the Municipal Center Campus and viewed vehicles parked in front of the signs trying to determine where they were supposed to go. He

pointed out even if a member of the public went to the wrong building, it would be easier to direct them as the entrances to the DMV and HSB were directly across from each other.

Mr. Girard mentioned there had been suggestions that some changes be made immediately and that an additional presentation be requested of Needham Risk Management Resource Group, LLC. He questioned the proper procedure for changing the time that the Municipal Center was opened and for activating the FOB entry system. Paul Dusek, County Administrator, advised there were no rules or regulations which stated what time the building was opened and the County could make that decision without the need for a resolution. He recommended 7:45 a.m. was an appropriate time to open the Municipal Center because the normal hours of operation for County Departments started at 8:00 a.m. He mentioned a motion would be needed from the Committee to activate the FOB entry system and secure the majority of the doors. He added a resolution could be presented at the November 21, 2014 Board Meeting to be discussed. Mr. Girard asked the opinions of the Committee members.

Mr. Westcott stated he was in favor of activating the FOB entry system but said it was necessary to decide which doors would remain open for public access. Mr. Taylor urged the Committee members to authorize a resolution which would activate the FOB entry system as soon as possible. Pertaining to the signage, he commented there was a sign at the main entrance of the Municipal Center which indicated the presence of an information desk which was rarely manned.

Motion was made by Mr. Monroe and seconded by Ms. Wood to activate the FOB entry system for the Municipal Center by authorized employees and to designate certain entrances to be secured for public access; and to change the time the Municipal Center opened in the morning to 7:45 a.m.

Mr. Morehouse advised this change would require a directive pertaining to employee parking due to the size of the DMV parking lot. He said he did not feel the lot was large enough to accommodate all of the public parking, as well as the employee parking. He noted some employees tried to park as close as possible to the building. He mentioned it would be necessary to designate where employees would be authorized to park their vehicles. Mr. Dusek stated that in order to make employee parking enforceable a resolution would be necessary. Ms. Delurey opined that if all the employees of the Municipal Center would be issued a FOB to access the building then it would not cause any employee parking issues because currently the employees of the DMV, County Clerk, County Treasurer and RPTS Offices all parked in the front parking lot.

Mr. Girard suggested more clarity was needed about the motion before the question could be called. Mr. Tennyson said once the intent of the Committee was known there were some details that would need to be looked into. He pointed out FOB's would have to be issued to the Municipal Center employees and an inventory would need to be completed of the FOB's which had already been issued and the access granted by those FOB's. He noted the undertaking would require the support and cooperation of the Department Heads who would need to identify which employees should be issued FOB's. He advised he could immediately obtain quotes for the purchase and installation of any additional hardware that was needed because the company was under contract with the County. Once the additional hardware was installed, he continued, and the necessary FOB's were issued, they could begin programming the system for activation.

Mr. Morehouse said it would be critical for the Department Heads to let them know which employees would need access. He said currently none of the Municipal Center employees had been issued FOB's except those who required access to the HSB or those who had been issued FOB's for the copier/printer system. He informed there were several copies of the master key which opened the majority of the doors to the Municipal Center. The lock core on those doors, he continued, would

need to be changed once the FOB's entry system was activated because the keys would override the FOB's. Mr. Girard suggested Buildings & Grounds could complete their inventory and preparation work but the Board of Supervisors would need to approve the activation of the FOB entry system beforehand. Mr. Morehouse reiterated the Department Heads would need to decide which employees would be issued FOB's and the times of day they would be allowed access. He added employees who currently commenced work in the early morning hours had a master key to the building. Mr. Tennyson interjected these were mostly Department Heads or Supervisors.

Mr. Strough commented there seemed to be a consensus to develop an action plan which would produce immediate results, as well as an action plan for the future security of the Municipal Center. Mr. Girard suggested an additional meeting to discuss the matter further and receive another presentation from Needham Risk Management Resource Group, LLC. He said conceptually it seemed there was a consensus of the Committee but the implementation of the FOB entry system or other security measure would require further discussion and planning. Mr. Strough requested clarification on the motion on the floor and he asked if the motion would be to authorize the DPW to develop an action plan which would have immediate results and Mr. Monroe replied affirmatively noting that the later opening of the Municipal Center at 7:45 a.m. was also included in the motion, as well as to allow FOB access to the Municipal Center by authorized employees and designate certain entrance(s) to be secured for public access.

Mr. Girard called the question and the motion was carried unanimously to authorize the Department of Public Works to develop an action plan to allow FOB access to the Municipal Center by authorized employees and designate certain entrance(s) to be secured for public access; and to change the time the Municipal Center opened in the morning to 7:45 a.m. *The necessary resolution was authorized for the November 21, 2014 Board Meeting.*

Ms. Wood commended the Buildings & Grounds employees on the Halloween decorations. She said she had driven by the other night and saw the purple lights which looked very nice.

Pertaining to the pending item concerning the RFP (Request for Proposals) for solar power conversion, Mr. Tennyson informed that proposals had been received and were being reviewed by the engineering staff. He anticipated he would provide an update at the next Committee Meeting. Regarding the pending item pertaining to the possibility of available space in the HSB to meet the needs of the New York State Justice Center, he advised he had contacted the representatives and asked for their patience until it was determined if it would be necessary to relocate any County Departments to the HSB due to the Court Expansion Project. He said he would continue the dialog with the representatives but for now the matter was on hold.

Mr. Girard asked if there was an Adirondack Hot Air Balloon Festival report and Mr. Tennyson responded there was but he would defer the report until the next Committee Meeting.

As there was no further business to come before the County Facilities Committee, on motion made by Ms. Wood and seconded by Mr. Strough, Mr. Girard adjourned the meeting at 12:03 p.m.

Respectfully submitted,
Charlene DiResta, Sr. Legislative Office Specialist