

**STEBEN COUNTY AD HOC OFFICE SPACE COMMITTEE**

*Tuesday, March 12, 2019*

*10:45 a.m.*

*Legislative Committee Room  
Steuben County Office Building  
Bath, New York*

**\*\*MINUTES\*\***

- COMMITTEE:** Robin K. Lattimer, Chair Carol A. Ferratella, Vice Chair John V. Malter  
Gary D. Swackhamer Scott J. Van Etten
- STAFF:** Jack K. Wheeler Amy Dlugos Jennifer Prossick  
Pat Donnelly Brenda Mori Tammy Hurd-Harvey
- LEGISLATORS:** K. Michael Hanna Frederick G. Potter Gary B. Roush
- ABSENT:** Brian C. Schu
- OTHERS:** Mark Kukuvka, LaBella  
Carla Grace, LaBella  
Tom Simbari, LaBella  
Mary Perham

**I. CALL TO ORDER**

Ms. Lattimer called the meeting to order at 10:45 a.m.

**II. APPROVAL OF MINUTES**

**MOTION: APPROVING THE MINUTES OF THE JANUARY 28, 2019, MEETING MADE BY MRS. FERRATELLA. SECONDED BY MR. MALTER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

**III. NEW BUSINESS**

A. County Manager

1. **2017-2018 Project Closeout Report** – Mr. Wheeler distributed the closeout project report for the New County Office Building Annex and Records Storage Facility project. All of the contracts were within the budgets awarded. The authorized budget was \$8,979,000 which did not include the high-density shelving units or furnishings, which were budgeted for separately. The actual amount spent was \$8,862,679.80; so we came in \$116,320.20 under budget. The committee stated this was a job very well done.

2. **Court Study Update/Discussion** – Mr. Kukuvka introduced Tom Simbari who is working with Carla Grace on this project.

Mr. Kukuvka stated after our first initial meeting with the departments, our previous program summary showed that 44,600 square feet of space would be required for all of the program areas. Currently these programs are located in 34,500 square feet. Due to the fact that we have the third floor of the Annex Building open and some other vacant space in the County Office Building, it will not be necessary to build any swing space. Throughout the project we will be able to move departments to the vacant spaces as they become available and do the necessary renovations. After a secondary meeting with the departments, we have revised the required square footage to 49,258. This incorporates increases in the District Attorney’s Office to include the Grand Jury room, along with planning for future growth, vertical circulation between the first and second floors of the Courthouse and toilet rooms for the grand jury and witnesses. The increase in the court rooms is due to a proposal for a new

court room and existing rooms, along with additional waiting space. The Courts have indicated that they would like to be able to accommodate 100 people in the waiting space. In Court Security, we are proposing the three adult holding cells, adding an inmate elevator and adding a central command center. The final change is in the Public Defender's Office for adding Family Court Defenders (6 staff).

### **STEUBEN COUNTY REVIEW**

#### **Annex Building – 3<sup>rd</sup> Floor – County Manager/Legislature/Planning**

Ms. Grace reviewed the proposed layout for the third floor of the Annex Building. This floor will house the County Manager, Legislature and Planning Department. She stated the layout of the Chambers will be similar to what you currently have, but there will be more space and the space and furniture will be flexible. You will have the ability to partition the space. Mr. Wheeler stated we are proposing that this space would also be used for committee meetings and the desks would be moveable.

#### **Balcom House – Public Defender**

Mr. Simbari reviewed the proposed layout for the Public Defender's Office. He stated the Public Defender's Office will be located on the first and second floors of the Balcom House. Mr. Wheeler commented with the structure of the house, as you look at the drawing, to the right, the second floor joists are sistered. We may need to beef up the structure on the left side when we take out the floors. Mr. Kuvuka commented with regard to the historical status of the building, we will only be doing an interior renovation.

#### **Courthouse – District Attorney's Office**

Ms. Grace reviewed the proposed layout for the District Attorney's Office. These offices will be located in the Courthouse on the first and second floors. We are also proposing that the third floor of the Courthouse be used for grand jury. This proposal does not take into account the internal staircase and/or elevator that they have requested. This proposal is not currently meeting their new requirements. Mr. Kuvuka explained we are trying to salvage as many load bearing walls as possible. They need an internal staircase in order to be unified. There may be a potential to share the grand jury space with the courtroom and that idea has been presented to the courts. The grand jury area needs to have a separate entrance and toilet rooms. For the District Attorney, two and half floors are needed.

Mr. Kuvuka stated their existing square footage is 2,765 and they are requesting up to 6,000 square feet. Mr. Wheeler stated for this option, if the courts do not let you share the courtroom for grand jury, then there will not be enough space. This is dependent upon the court's approval.

Mr. Swackhamer asked what requires us to have a separate entrance? We don't have that now. Mr. Wheeler replied Mr. Baker has said that staff cannot go up the same stairs or elevators with case files with people coming in for court. Mr. Kuvuka stated we are programming them now at 4,100 net square feet. Mr. Wheeler stated there is also concern about a significant renovation on the first floor as there are more structural issues. There is more ability to renovate the second and third floors.

Mr. Swackhamer asked are these mandatory or wish list items? Mr. Wheeler replied these are not wish list items. With the Counsel at Arraignment push, if we did just two and a half floors, they could fit. That extra half floor at the courthouse doesn't get you a lot.

Mr. Malter asked how many courtrooms will we have? Mr. Wheeler replied we will have four courtrooms and two hearing rooms. The courts have indicated they want four good sized OCA compliant courtrooms.

Mr. Malter asked what is the need for the additional space for and additional Assistant District Attorney and support staff? Is that a wish list item? Mr. Wheeler replied they did include a couple of extra offices. Is it what he needs today? No, but it is based on what is happening with caseloads. There are two, maybe three extra offices compared to what we had originally estimated. Mr. Wheeler explained the District Attorney moving out of the County Office Building was an issue for the courts, and they put their foot down on that. With the District Attorney needing to be relocated, the question was where to put them. The Courthouse is the only space we have, short of building a new building.

Mr. Malter asked will they fit into those two floors? Mr. Wheeler replied probably not. The grand jury component is key. If that area is not useable, then this option will not work. Mr. Kukuvka commented this option is tenuous right now.

Surrogate's Building 1st Floor – Veterans Services

Mr. Simbari reviewed the proposed layout for the Veterans Service Agency. There have been concerns regarding parking access for veterans. Mr. Wheeler stated this is a decision point for the committee. We can move them to the Surrogate's Building, or we can keep them at the County Farm property. With the move to the Surrogate's Building, there is no parking other than metered parking.

Mr. Swackhamer asked why are we talking about Veterans Services? Mr. Wheeler replied it is more of a policy issue. Do you want to keep them where they currently are in the temporary space? There is mixed public opinion about the location. If you keep them out there, you would have to do a small addition for an extra office on the ground floor.

Surrogate's Building – 2<sup>nd</sup> Floor

Mr. Simbari reviewed the proposed layout for the County Attorney.

County Office Building – 2<sup>nd</sup> Floor

Mr. Kukuvka reviewed the proposed layout for the Conflict Defender's Office, which will be located in what is currently the District Attorney's Annex. Mr. Wheeler commented we have programmed for additional Conflict Defenders in the future.

County Office Building 1<sup>st</sup> Floor – Public Works

Ms. Grace reviewed the proposed layout for Public Works. This is the space that was previously occupied by Cornell Cooperative Extension. We have pushed the entrance to the department further down the hallway. Mr. Van Etten asked do they really need a 442 square foot conference room? Mr. Simbari replied that is actually fairly standard for public works departments. They typically use that as an "event" room when there is a big snow storm or other event happening. This is actually more of a working table for pulling out maps, than it is a conference room. Mr. Wheeler commented where the conference room is, that is already existing space. They need some type of general area and this works because it is already existing.

**OFFICE OF COURT ADMINISTRATION (OCA) REVIEW**

County Office Building 1<sup>st</sup> Floor – Court Security

Ms. Grace reviewed the proposed layout for Court Security. A portion of their space will be located in the space formerly occupied by Cornell Cooperative Extension. This will be off the vestibule as you enter the main entrance to the building. Additionally, we are proposing utilizing the information desk area in the main lobby as a security command center. That is still up for discussion and is in the design phase. The intent is to renovate that space and make it useable.

Ms. Grace stated the other area for Court Security is the holding area which is currently located in the Northwest corner of the building. We are maintaining the current space as much as possible. This space will now include a separate juvenile holding cell. Mr. Wheeler explained with the changes in Raise the Age, we currently would not be compliant. Mr. Kukuvka stated this holding cell will be completely separate from the adult holding cells.

Ms. Grace stated in the area of the existing sally port, we are proposing to include a handicap lift off of the existing staircase. We have also proposed eliminating the existing staircase and putting in a LULA (limited use, limited access) elevator in its place. Mr. Kukuvka replied from a liability standpoint, this would be a good addition. Currently shackled inmates have to go up and down stairs and there is a potential for injury. This would be a double door elevator and you would be able to access all three courtrooms. Mr. Wheeler stated this is another decision point for the committee. The Sheriff and OCA are advocating for an elevator. He agrees with LaBella that putting it in the existing stairwell is more cost effective. He commented this is something that we do not have to do, but from a liability standpoint, may be a good idea.

Mr. Van Etten asked how many court security employees are typically in this area? Mr. Wheeler replied it depends on the court calendar and the time of day. Typically it ranges from one to eight.

County Office Building 1<sup>st</sup> Floor – Surrogate’s Court Clerk and New Hearing Room

Mr. Simbari reviewed the proposed layout for the Surrogate’s Court Clerk and the new Hearing Room. These would be located in the area previously occupied by the Board of Elections.

County Office Building 2<sup>nd</sup> Floor – Supreme/County Court Clerk, Family Court Clerk & Support Magistrate Hearing Room

Mr. Simbari reviewed the proposed layout for the Supreme/County Court Clerk, Family Court Clerk & Support Magistrate Hearing Room. This is the area where the Legislative Chamber, County Manager, Planning, County Attorney and District Attorney are currently located. OCA is satisfied with this proposed layout.

County Office Building 2<sup>nd</sup> Floor – Visiting Judge & Small Hearing Room

Mr. Kukuvka reviewed the proposed layout for the visiting judge and small hearing room. This will be located in the area where the Law Library and the Grand Jury Room are currently located.

County Office Building 2<sup>nd</sup> Floor – Courtroom #4

Mr. Kukuvka reviewed the proposed layout for Courtroom #4 which will be located in what currently is occupied by the Public Works Department. Mr. Simbari commented this area is still in flux as OCA is looking for some revisions. The proposal is to relocate the entrance to the Finance Department down the hall closer to the stairs with a separate wall. Then we will be able to incorporate more waiting space in the lobby area and access into the courtroom. There are still some questions regarding this proposal from OCA and the judge. Mr. Kukuvka stated they have indicated the space for the courtroom is fine, but are concerned that the judge’s chambers is a little tight.

County Office Building 2<sup>nd</sup> Floor – Law Library & Drug Court Coordinator

Mr. Kukuvka reviewed the proposed layout for the Law Library and the area for the drug court coordinator. This will be next door to Courtroom #4. We have tried to encourage the Law Library to reduce their space by incorporating more technology. This proposal does meet their minimum standards, but they will require high-density shelving for the law books.

**DESIGN OPTIONS**

Option 1A – Original DA Concept

Mr. Kukuvka reviewed the original proposed layout for the District Attorney’s space. The District Attorney would occupy the first and second floors of the courthouse. The OCA would maintain Courtroom #3 on the third floor with the option for the District Attorney to use that courtroom for grand jury. We also would construct a vertical circulation stair within the DA’s space between the first and second floors.

Option 1B – Expanded DA and Courtroom #3

Mr. Kukuvka reviewed Option 1B which would entail the District Attorney’s Office taking over all three floors of the courthouse. If they were to take over the entire building, there would not be a need to build an interior staircase. If this occurred, then Courtroom #3 would be located to the area where the South Conference Room, Risk Manager and Court Reporters are currently located.

Option 2A – Original Veteran Services Concept

Mr. Simbari reviewed the original proposed layout for Veterans Services. With this option, Veterans Services would be relocated to the first floor of the Surrogate’s Building, the Conflict Defender would be located in the current District Attorney’s Office Annex on the second floor of the County Office Building, and the Law Library and Drug Court Coordinator would be located to the west of Courtroom #4.

Option 2B – Conflict Defender/Law Library

Mr. Simbari stated that OCA is concerned about locating the Conflict Defender among the courts in the County Office Building. They have asked that the Conflict Defender be moved to the Surrogate’s Building. With this proposal, Veterans would stay in their current location at the County Farm. The Conflict Defender would be moved to the first floor of the Surrogate’s Building. The Risk Manager would be relocated into the remaining space on the first floor of the

Surrogate's Building. Additionally, the Law Library would be relocated to the existing District Attorney's Office Annex space on the second floor of the County Office Building.

Rough Order of Magnitude (ROM) Cost Summary

Mr. Kukuvka distributed a handout showing the rough order of magnitude cost summary. The original concept design cost was \$5,800,000. With the increased programmatic area of 5,000 square feet, that would be an additional cost of \$1,500,000 for a revised design cost of \$7,300,000. If you decided to go with Option 1B, which is the expanded District Attorney's Office and Courtroom #3, that would be an additional \$2,250,000 bringing the total cost of the project to \$9,550,000. If you also opted for design option 2B, Conflict Defender and Law Library, that would be an additional cost of \$250,000 bringing the potential total cost to \$9,800,000.

Mr. Kukuvka informed the committee that they have hired an independent estimator who will be reviewing the space drawing and vetting that our numbers are accurate. That will happen at the end of this month. When you get the report in April, it will include a fresh estimate. He commented the cost for a new court facility is approximately \$30,000,000.

Mr. Wheeler stated we are waiting for the courts to respond to the new proposals. If you significantly pushed back, he doesn't know if they would put their foot down on the grand jury concept. The question is what will happen five years from now if you don't do this. No matter what you do, it is still cheaper than building a new building.

Mr. Malter stated whatever we do; we know the state may require changes in the future. Where does that leave us after we spend \$10 million? Mr. Wheeler replied if they agree to the plan, that is what you lean on. It has been thirty years since the last time we did this. You are right, they could come in and make more requests, but you have the renovation they agreed to.

Mr. Van Etten commented his concern is that if the District Attorney only needs two and a half floors, we should give him two and a half floors, not three. Then you have extra space to relocate the Risk Manager.

Mr. Swackhamer stated we are spending \$20 million between the project we just finished and this new one. You have to look at what we have already spent. Mr. Wheeler stated when you look around, there are a lot of counties that are in the same position as us, outgrowing their office space or doing court projects.

Mr. Malter asked the elevator for the District Attorney, is that something that will be mandated down the line? Mr. Wheeler replied the elevator deals with the issue of access. You have an elevator right now. With option 1A, the issue is the circulation of people showing up for court and the files. If they end up having the entire building, the entire building would have a non-court purpose and they could transport with the existing elevator. If the courts are also using that building, you would need a separate staircase or elevator as you would not want to transfer files with the public using the same elevator.

Mr. Wheeler stated that the committee will have a couple of weeks to review this information. They will be scheduling a special meeting prior to the March Legislative meeting to discuss the options.

Ms. Lattimer stated she would like the committee to discuss the issue of relocating Veterans Services. Mr. Swackhamer commented that he thinks they should leave them out at the County Farm. Mr. Van Etten and Ms. Lattimer were in agreement. Ms. Lattimer commented the veterans seem happier and it is easier parking. Mr. Wheeler stated the only way it would work to relocate them to the Surrogate's Building would be to have dedicated parking for veterans.

**MOTION: RECOMMENDING THAT THE VETERANS SERVICE AGENCY REMAIN HOUSED AT THE COUNTY FARM MADE BY MR. SWACKHAMER. SECONDED BY MRS. FERRATELLA. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Mr. Wheeler stated we can push OCA for an answer as soon as possible and will then email everyone about their view of sharing the grand jury space. If we can share that space, then we may be able to keep the South Conference Room as extra space.

Mr. Malter stated that he agrees with Mr. Van Etten and we should look at having two and a half floors in the courthouse for the District Attorney.

Mr. Kukuvka briefly reviewed the project schedule with the committee. We, with the decision of the Legislature, feel that the schematic design phase will be finished by the beginning of April. Mr. Wheeler stated we wanted to get you thinking about those issues that are significant at this point.

Mr. Van Etten commented in a previous meeting, one of our colleagues said that we need to look at more and discuss. Is there anything you think we should be looking at more? Mr. Wheeler replied it is really a question of how much information you want and/or need. He stated that he has meeting minutes, notes, and other documents if anyone is interested in seeing them.

Mr. Swackhamer asked will there be any extra heating and cooling costs? Mr. Simbari replied at this point we have engaged the services of a cost consultant. We have conducted the interviews to help with the scope of work, but we do not yet have the design documents. Mr. Kukuvka stated we think we have accounted for all of the HVAC and plumbing. Mr. Wheeler stated the courthouse chiller unit is only seven years old and the chiller in the County Office Building is being replaced. Mr. Simbari commented there is 10 percent capacity left in the current system.

Mr. Wheeler stated with regard to information, like with any other topic, he has more information than anyone wants to digest, but it is available to you. One additional item we had talked about, is where the sally port is located, doing a pull-off for the Sheriff to park, instead of parking across the street on Steuben Street.

*Secretary's Note: The committee was in agreement to include the LULA (limited use, limited access) elevator in the Court Security office.*

Mr. Van Etten asked will the placement of the LULA elevator create an issue with bringing inmates into the courtroom that will be located in the Southwest corner of the County Office Building? Mr. Wheeler replied he doesn't believe so as that will be a smaller courtroom anyway. Mr. Kukuvka stated that courtroom would probably be used as a last resort for a criminal trial.

**MOTION: TO ADJOURN MADE BY MR. VAN ETTEN. SECONDED BY MR. SWACKHAMER. ALL BEING IN FAVOR. MOTION CARRIES 5-0.**

Respectfully Submitted by

Amanda L. Chapman  
Deputy Clerk  
Steuben County Legislature

**\*\*NEXT MEETING SCHEDULED FOR\*\*  
Monday, March 25, 2019  
Legislative Committee Room  
9:00 a.m.**