

**VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES
REGULAR MEETING AGENDA 5:30PM**

Monday July 27, 2020

Roberts Rules of Order will be in Effect for this Meeting

**THIS MEETING WILL BE HELD IN THE HARRIETSTOWN TOWN HALL AUDITORIUM
39 MAIN STREET, SARANAC LAKE**

ENTRANCE/EXIT WILL BE THROUGH SIDE DOOR NEAR THE STAGE BACK OF THE BUILDING.
HANDICAP ENTRANCE FROM BACK PARKING LOT, TO THE LAPAN HIGHWAY SIDE OF BUILDING.

THE DOORS WILL OPEN AT 5:00PM

MASKS & SOCIAL DISTANCING REQUIRED, NO RESTROOMS AVAILABLE

Due to the limited seating capacity the meeting will also be viewable via Zoom. This platform will be used for broadcast purposes only.

Time: Jul 27, 2020 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83744153965?pwd=cDNLc3RURkZqcmxTUEZMTkplaWYyZz09>

Meeting ID: 837 4415 3965

Passcode: 277359

Find your local number: <https://us02web.zoom.us/j/kc2ZOGhYzR>

A. CALL TO ORDER PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. AUDITING:

a. Pay Vouchers

b. Approve Minutes 7-13-2020

D. POLICE CHIEF PRESENTATION:

a. Mental Health Responses: Exist conditions, polices and protocols

E. ITEMS FOR BOARD ACTION

BILL	74	2020	Use of Contingency to cover the cost of Lexipol – Police Customized Policy Management , Update and Training.
BILL	75	2020	Authorize DRI Projects RFP
BILL	76	2020	Authorize Meeting and Voucher Schedule
BILL	77	2020	Recording of Village Board Meeting

G. OLD BUSINESS:

Village response to Executive Order 203: Report

H. PUBLIC COMMENT PERIOD:

I. MOTION TO ADJOURN:

**RULES FOR PUBLIC HEARING COMMENTS AND
PUBLIC COMMENT
PERIOD OF MEETINGS**

- 1. Anyone may speak to the Village Board of Trustees during the public comment period of a public hearing or the public comment period of the meeting.**
- 2. As a courtesy we ask each speaker to give their name and address.**
- 3. Each speaker must be recognized by the chairperson before speaking.**
- 4. Individual public comment is limited to 5 minutes and may be shortened by the meeting chairperson.**
- 5. When a meeting is attended by a group of people who share the same or opposing views on a public comment topic, the chair may require that the group(s) designate not more than two spokespersons and limit the total time public comment to 5 minutes for each point of view or side of an issue.**
- 6. Individual time may not be assigned/given to another.**
- 7. A public hearing is meant to encourage resident comment and the expression of opinion, not a direct debate, nor should a commenter be intimidated by a village board rebuttal, therefore public hearings are limited to public comment and should a village response be asked by individuals the response shall be generally given after the public hearing during the village board regular meeting, or subsequently, by telephone or letter, unless factual in nature where the facts are fully known by staff, in which case a village official may respond.**
- 8. All remarks shall be addressed to the board as a body and not to any individual member thereof.**
- 9. Interested parties or their representatives may address the board at any time by written or electronic communications.**
- 10. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.**

Please note- During the course of regular business, discussion and commentary is limited to board members and village staff only. We ask for this courtesy, for the board and staff to conduct their business and discussion without interruption. All village board members and staff are available after the conclusion of a meeting for one on one discussion.

REGULAR MEETING OF THE BOARD OF TRUSTEES

July 13, 2020

Meeting was held in the Harriestown Townhall Auditorium with seating capacity for 50 people with social distancing and the wearing of masks. The meeting was also streamed through Zoom.

Everyone stood for the pledge of allegiance lead by Trustee Catillaz.

ROLL CALL FOR REGULAR MEETING: Present: Mayor Clyde Rabideau
Trustees: Thomas Catillaz, Richard Shapiro, Patrick Murphy and Melinda Little.
Staff also present: Village Manager, John Sweeney, Village Clerk Kareen Tyler, and
Community Development Director, Jamie Konkoski.

AUDITING:

Chair Rabideau called for a motion to approve payment for the 2020 budget \$ 1,932.50 voucher number 11044284 to 1104400 for the 2021 budget \$ 921,375.50 voucher number 11044285 to 11044419 complete detail of these vouchers is attached and made part of these minutes.

Motion: Little Second: Murphy

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

Chair Mayor Rabideau called for a motion to approve minute of June 22, 2020

Motion: Little Second: Shapiro

Roll Call: Catillaz: yes, Murphy: abstain, Shapiro: yes, Little: yes

CORRESPONDENCE: Letter from Cherrie Racette, Letter from County of Franklin Solid Waste Management, Police Report

Chair Rabideau called for motion to accept and place on file the above referenced correspondence.

Motion: Catillaz Second: Little

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

ITEMS FOR BOARD ACTION:

Bill 66-2020 Award Sand Screening Bid

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Catillaz Second: Murphy

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

Bill 67-2020 Authorize Contract with Scooters Cleaning Service for Police Department

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Little Second: Shapiro

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

Bill 68-2020 Authorize Agreement with BOCES

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Little Second: Catillaz

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

Bill 69-2020 Arts & Culture Advisory Board Appointments Elaine Taylor-Wilde, Shaun Kittle and Emilie Allen

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Little Second: Murphy

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: abstain, Little: yes

Bill 70-2020 Appoint Trustee Little and Trustee Murphy as Liaisons for Groups Utilizing Village Property for Expression

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Catillaz Second: Murphy

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

Bill 71-2020 Diversity Training for Village Employees

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Little Second: Shapiro

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

Bill 72-2020 Authorize Sidewalk Chalk Art for Downtown Saranac Lake

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Shapiro Second: Little

Motion to TABLE: Little Second: Murphy

Roll Call to Table: Catillaz: no, Murphy: yes, Shapiro: no, Little: yes, Rabideau: yes

Bill 73-2020 Establish Sidewalk Chalk Event

A copy of the bill is attached and made part of these minutes

Chair Mayor Rabideau called for a motion.

Motion: Little Second: Murphy

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

PUBLIC COMMENT PERIOD:

Tim Fortune: an email sent in prior to the meeting

Sunita Halasz: an email sent in prior to the meeting

Sarah Curtis statement is attached and made part of these minutes

Chris Morris, statement and the letters he is referring to are attached and made part of these minutes

Erin Cass, statement is attached and made part of these minutes

Kaet O'Brien, statement is attached and made part of these minutes

Jenny Curtis, statement is attached and made part of these minutes

Trevor Sussey, statement is attached and made part of these minutes

Zohar Gitlis, statement is attached and made part of these minutes

Trevor Jackson, taxpayer, wants the blight in the village addressed and delegation of work to the appropriate village employee

Dani Delani, statement is attached and made part of these minutes

Kayla Laduco, statement is attached and made part of these minutes

Lindy Ellis, Franklin County Legislator, a milk and produce giveaway will be held at the high school on 7-18-20, no income requirement, drive thru pick of a dairy and produce box.

Jake Vennie-Vollrath, thanked the village board for their public service and encouraged the continual live feed of meetings as it makes government more accessible.

BUSINESS:

Update on Repairs of 3 Main Street

Trustee Murphy thanked the members of the audience for their comments

MOTION TO ADJOURN

Chair Mayor Rabideau called for a motion to adjourn

Motion: Catillaz Second: Little

Roll Call: Catillaz: yes, Murphy: yes, Shapiro: yes, Little: yes

Respectfully submitted,
Kareen Tyler, Village Clerk

**VILLAGE OF SARANAC LAKE
BOARD OF TRUSTEES
RESOLUTION APPROVING USE OF
CONTINGENCY ACCOUNT**

SUBJECT: Use of Contingency

FOR AGENDA OF 7/27/2020

DEPT OF ORIGIN: John Sweeney

BILL # 74-2020

DATE SUBMITTED: 7/23/2020

EXHIBITS: Lexipol Agreement

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED: \$11,151.00

AMOUNT
BUDGETED: \$11,151.00

APPROPRIATION
REQUIRED: \$0.00

SUMMARY STATEMENT

APPROVE BUDGET ADJUSTMENT FROM GENERAL FUND CONTINGENCY ACCOUNT TO THE POLICE SERVICES ACCOUNT TO COVER COST OF LEXIPOL CUSTOMIZED POLICY MANAGEMENT, UPDATE, AND TRAINING. ALSO AUTHORIZE VILLAGE MANAGER TO SIGN AGREEMENT.

RECOMMENDED ACTION

APPROVAL OF RESOLUTION

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE CATILLAZ _____

TRUSTEE LITTLE _____

TRUSTEE MURPHY _____

TRUSTEE SHAPIRO _____

**Village of Saranac Lake
Board of Trustees - Resolution
Approving Use of Contingency Account
For Lexipol Agreement**

WHEREAS, the Village of Saranac Lake develops annual budgets for its General Fund, Water Fund and Sewer Fund, and

WHEREAS, line items within the budgets are estimates of potential expenditures and actual expenditures will vary (some more, some less) depending on the needs of the Village Departments, and

WHEREAS, budgetary appropriations for each line item are not permitted to run into the negative, budget adjustments are commonly made to address negative appropriations, and

WHEREAS, budget adjustments do not increase or decrease the overall budget since an increase in a budget line has an equal decrease in another budget line netting out to zero, and

WHEREAS, due to need to update the Saranac Lake Village Police Department policies and training,

THEREFORE BE IT RESOLVED, the Village of Saranac Lake Board of Trustees hereby approves the budget adjustment for the General Fund to cover the cost of a customized service from Lexipol in the amount of \$11,151 from the Contingency account to Police Services account, and Village Manager authorization of contract.



AGREEMENT FOR USE OF SUBSCRIPTION MATERIAL

Agency's Name: Saranac Lake Village Police Department
Agency's Address: 1 Main St
Saranac Lake, New York 12983

Attention: Chief James Joyce

Lexipol's Address: 2611 Internet Boulevard, Suite 100
Frisco, Texas 75034

Attention: Jessica Levenberg

Effective Date:

(to be completed by Lexipol upon receipt of signed Agreement)

The Agreement for Use of Subscription Material is between Lexipol, LLC, a Delaware limited liability company ("**Lexipol**"), and the Agency identified above. The Agreement consists of (a) this cover sheet; (b) **Exhibit A** (Subscriptions Being Purchased and Subscription Fees) attached to this cover sheet, (c) **Exhibit B** (General Terms and Conditions) attached to this cover sheet, and (d) **Exhibit C** (Scope of Services) attached to this cover sheet. Capitalized terms that are used in Exhibit A and not defined therein shall have the respective meanings given to them in Exhibit B.

Agency
Signature: _____
Print Name: _____
Title: _____
Date Signed: _____

Lexipol
Signature: _____
Print Name: Van Holland
Title: Chief Financial Officer
Date Signed: _____

EXHIBIT A

SUBSCRIPTIONS BEING PURCHASED AND SUBSCRIPTION FEES

Agency is purchasing the following:

ProRated Subscription

QTY	DESCRIPTION	UNIT PRICE	DISC	DISC AMT	EXTENDED
1	Annual Law Enforcement Policy Manual & Daily Training Bulletins w/Supplemental Publication Service w/ Procedures (Start: 9/1/2020 End: 5/31/2021)	USD 5,288.00	20%	USD 1,058.00	USD 4,230.00
	Subscription Line Items Total			USD 1,058.00	USD 4,230.00
				USD 1,058.00	USD 4,230.00
				ProRated Subscription Discount:	USD 1,058.00
				ProRated Subscription TOTAL:	USD 4,230.00

One Time Implementation Fee

QTY	DESCRIPTION	UNIT PRICE	DISC	DISC AMT	EXTENDED
1	Law Enforcement Standard Policy Cross-Reference	USD 3,075.00	25%	USD 769.00	USD 2,306.00
1	Law Enforcement Agency-Specific Content Extraction	USD 2,195.00	25%	USD 549.00	USD 1,646.00
1	Law Enforcement Tier I Implementation	USD 3,959.00	25%	USD 990.00	USD 2,969.00
	One-Time Line Items Total			USD 2,308.00	USD 6,921.00
				USD 2,308.00	USD 6,921.00
				One Time Implementation Fee Discount:	USD 2,308.00
				One Time Implementation Fee TOTAL:	USD 6,921.00

**Annual Subscription Starting
June 1st, 2021**

QTY	DESCRIPTION	UNIT PRICE	DISC	DISC AMT	EXTENDED
1	Annual Law Enforcement Policy Manual & Daily Training Bulletins w/Supplemental Publication Service w/ Procedures (12 Months)	USD 7,051.00	20%	USD 1,410.00	USD 5,641.00

QTY	DESCRIPTION	UNIT PRICE	DISC	DISC AMT	EXTENDED
	Subscription Line Items Total			USD 1,410.00	USD 5,641.00
				USD 1,410.00	USD 5,641.00
				Annual Subscription Starting June 1st, 2021 Discount:	USD 1,410.00
				Annual Subscription Starting June 1st, 2021 TOTAL:	USD 5,641.00

*Law Enforcement pricing is based on 10 Law Enforcement Sworn Officers. Cross Reference Professional Services pricing is based on 300 pages.

The foregoing pricing has been prorated for the benefit of Agency and Agency therefore agrees that they will waive the right to cancel this agreement until the end of the first renewal period.

*The above subscription services, and when applicable, implementation services, shall be invoiced by Lexipol upon the execution of this Agreement.

Notes

Due at signing \$11,151. Includes Subscription and One Time Implementation Fee

Discount Notes

Annual 20% Promotional Discount.

EXHIBIT B

GENERAL TERMS AND CONDITIONS

1. **Definitions.** For purposes of this Agreement, each of the following terms will have the meaning indicated in this Section:

1.1 **Agency's Account.** "**Agency's Account**" means the account by which Agency accesses the Subscription Materials.

1.2 **Agreement.** "**Agreement**" means (a) the cover sheet to which these General Terms and Conditions are attached, (b) Exhibit A (Subscriptions and Services Being Purchased and Related Fees) attached to that cover sheet, (c) these General Terms and Conditions, and (d) Exhibit C (Scope of Services).

1.3 **Initial Term/Contract Year.** "**Initial Term**" means the twelve-month period commencing on the Effective Date and "**Contract Year**" means each twelve-month period commencing on each anniversary of the Effective Date, except as may otherwise be modified by Section 2.1 Term below.

1.4 **Derivative Work.** "**Derivative Work**" means a work that is based on the Subscription Material or any portion thereof, such as a revision, modification, abridgement, condensation, expansion, or any other form in which the Subscription Material or any portion thereof may be recast, transformed, or adapted. For purposes of this Agreement, a Derivative Work also includes any compilation that incorporates any portion of the Subscription Material. Further, "**Derivative Work**" includes any work considered a "derivative work" under United States copyright law.

1.5 **Effective Date.** "**Effective Date**" means the date specified on the cover sheet to which these General Terms and Conditions are attached.

1.6 **Subscription Materials.** "**Subscription Materials**" means the policy manuals, supplemental policy publications, daily training bulletins and other materials provided by Lexipol to Agency from time to time during the term of this Agreement under the subscriptions purchased by Agency as specified in Exhibit A.

2. **Term and Termination.**

2.1 **Term.** This Agreement is effective upon the execution and delivery of this Agreement by both Lexipol and Agency, and shall continue in effect until the expiration of the Initial Term; provided, however, that the term of this Agreement will automatically be extended for successive one-year periods thereafter (each a Contract Year), unless either party gives written notice to the other party to the contrary not less than thirty (30) days prior to the expiration of the Initial Term or the then current Contract Year, as the case may be. Notwithstanding the foregoing, however, this Agreement will be subject to termination as provided in Section 2.2 below.

2.2 **Termination.** This Agreement may be terminated by either party, effective immediately, (a) in the event that the other party fails to discharge any obligation or remedy any default under this Agreement for a period of more than thirty (30) calendar days after it has been given written notice of such failure or default; or (b) in the event that the other party makes an assignment for the benefit of creditors or commences or has commenced against it any proceeding in bankruptcy, insolvency or reorganization pursuant to the bankruptcy laws of any applicable jurisdiction.

2.3 **Effect of Expiration or Termination.** Upon the expiration or termination of this Agreement, all of the rights granted to Agency by this Agreement to the subscriptions identified on Exhibit

A shall automatically terminate. The termination or expiration of this Agreement shall not, however, relieve either party from any obligation or liability that has accrued under this Agreement prior to the date of such termination or expiration. The right to terminate this Agreement pursuant to Section 2.2 above shall be in addition to, and not in lieu of, any other remedy, legal or equitable, to which the terminating party shall be entitled at law or in equity. The provisions of Sections 1 (Definitions), 4 (Copyright; Derivative Works; Lexipol's Ownership), 5 (Right to Use; Limitations on Use of Subscription Material and Derivative Works), 7 (Privacy Policy), 8 (Policy Adoption), 9 (Disclaimer of Liability), 10 (Limitation of Liability), 13 (Miscellaneous), and this Section 2.3 shall survive the expiration or termination of this Agreement for any reason whatsoever.

3. Subscription Fees, Etc.

3.1 Subscription Fee/Invoicing. Lexipol will invoice Agency at the commencement of the Subscription Service (Initial Term) and thirty (30) days prior to the date for each Contract Year (refer to 2.1 above). Agency will pay to Lexipol the subscription fee specified on Exhibit A within thirty (30) days following Agency's receipt of the invoice for such subscription and renewal fees. All invoices will be sent to Agency at the address for Agency specified on the cover sheet to which these General Terms and Conditions are attached. All payments will be made to Lexipol at the address for Lexipol specified on the cover sheet to which these General Terms and Conditions are attached. Lexipol reserves the right to increase pricing for subsequent Contract Years.

3.2 Taxes; Past Due Amounts. All amounts required to be paid under this Agreement, unless otherwise stated on Exhibit A, are exclusive of all taxes and similar fees now in force or enacted in the future imposed on the subscriptions purchased by Agency under this Agreement and/or delivery by Lexipol to Agency of Subscription Material, all of which Agency will be responsible for and will pay in full, except for taxes based on Lexipol's net income. In the event any amount owed by Agency is not paid when due, and such failure is not cured within ten (10) days after written notice thereof from Lexipol, then in addition to any other amount due, Agency shall pay a late payment charge on the overdue amount at a rate equal to the lower of (a) one percent (1%) per month, or (b) the highest rate permitted by applicable law.

4. Copyright; Derivative Works; Lexipol's Ownership. Agency acknowledges and agrees that the Subscription Material is a proprietary product of Lexipol, protected under U.S. copyright law, and that Lexipol reserves all rights not expressly granted in this Agreement. Subject to the terms and conditions contained in this Agreement, Lexipol hereby grants Agency the right to prepare Derivative Works, except as limited by the terms of this agreement; provided, however, that Agency acknowledges and agrees that Lexipol will be the sole owner of all right, title and interest in and to all Derivative Works prepared by or for Agency, including all copyrights and other intellectual property and proprietary rights therein or pertaining thereto, and Agency hereby assigns and transfers to Lexipol all right, title and interest in and to all Derivative Works prepared by or for Agency, including all copyrights and other intellectual property and proprietary rights therein or pertaining thereto. Agency will not remove from any copies of the Subscription Material provided by Lexipol to Agency any copyright notice or other proprietary notice of Lexipol appearing thereon, and shall include such copyright and other notices at the appropriate place on each copy of the Subscription Material and each copy of any Derivative Work made by or for Agency, in any form.

5. Right to Use; Limitations on Use of Subscription Material and Derivative Works. Subject to the terms and conditions contained in this Agreement, Lexipol hereby grants to Agency a perpetual, personal, fully paid-up, right to use, except as limited by the terms of this agreement the Subscription Material and any Derivative Works prepared by or for Agency, solely for the Agency's internal purposes. Agency will not use, copy, republish, lend, distribute, post on servers, transmit, redistribute, display, in whole or in part, by any means or medium, electronic or mechanical, or by any information storage and retrieval system, any Subscription Material or any Derivative Work prepared by or for Agency other than as expressly authorized by the immediately preceding sentence. Without limiting the generality of the foregoing, Agency will not import, upload, or otherwise make available any

Subscription Material or any Derivative Work prepared by or for Agency into or onto any third party knowledge, document, or other content management system or service without Lexipol's prior written consent. The foregoing does not, however, prohibit or restrict Agency from providing Subscription Material or Derivative Works prepared by or for Agency pursuant to an order from a court or other governmental agency or other legal process, or Freedom of Information Act (FOIA) request, or Public Records Act (PRA) request, nor does it prohibit or restrict Agency from displaying the adopted/approved final policy document on a publicly accessible website for official Agency purposes, so long as Agency includes the appropriate copyright and other proprietary notices on such final policy document as required by Section 4 above.

6. **Account Security.** Agency is solely responsible for maintaining the confidentiality of Agency's user name(s) and password(s) and the security of Agency's Account. Agency will not permit access to Agency's Account, or use of Agency's user name(s) and/or password(s) by any person or entity other than authorized Agency personnel. Agency will immediately notify Lexipol in writing if Agency becomes aware that any person or entity other than authorized Agency personnel has used Agency's Account or Agency's user name(s) and/or password(s).

7. **Privacy Policy.** Lexipol will hold all information Agency provides in confidence unless required to provide information in accordance with an order from a court or other governmental agency or other legal process such as a Freedom of Information Act (FOIA) request, or Public Records Act (PRA) request. Lexipol will use commercially reasonable efforts to ensure the security of information provided by Agency. Lexipol's system also uses Secure Socket Layer (SSL) Protocol for browsers supported by Lexipol application(s). SSL encrypts information as it travels between the Agency and Lexipol. However, Agency acknowledges and agrees that Internet data transmission is not always 100% secure and Lexipol does not warrant or guaranty that information Agency transmits utilizing the Lexipol system or online platform is 100% secure.

Agency acknowledges that Lexipol may provide view-only access and summary information (including but not limited to, status of number of policies developed or in development, percentage of staff reviews of developed policies, and percentage of DTBs taken) to the Agency's affiliated Risk Management Authority, Insurance Pool or Group, or Sponsoring Association, if they are actively funding their member Agencies' Subscription Fees.

8. **Policy Adoption.** Agency hereby acknowledges and agrees that any and all policies and Daily Training Bulletins (DTBs) included in the Subscription Material provided by Lexipol have been individually reviewed, customized and adopted by Agency for use by Agency. Agency further acknowledges and agrees that neither Lexipol nor any of its agents, employees or representatives shall be considered "policy makers" in any legal or other sense and that the chief executive of Agency will, for all purposes, be considered the "policy maker" with regard to each and every such policy and DTB.

9. **Disclaimer of Liability.** Agency acknowledges and agrees that Lexipol its officers, agents, managers, and employees will have no liability to Agency or any other person or entity arising from or related to the Subscription Materials, or any act or omission by Agency or its personnel pursuant to, or in reliance on, any of the Subscription Materials.

10. **Limitation of Liability.** Lexipol's cumulative liability to Agency and any other person or entity for any loss or damages resulting from any claims, demands, or actions arising out of or relating to this Agreement or the use of any Subscription Materials shall not exceed the subscription fees actually paid to Lexipol for the use of the Subscription Materials under this Agreement during the twelve-month period immediately prior to the assertion of such claim, demand or action. In no event shall Lexipol be liable for any indirect, incidental, consequential, special, or exemplary damages or lost profits, even if Lexipol has been advised of the possibility of such damages. The limitations set forth in this Section shall apply whether Agency's claim is based on breach of contract, tort, strict liability, product liability or any other theory or cause of action.

11. **Non-Transferability.** The subscriptions and rights to use the Subscription Material granted by this Agreement are personal to Agency and Agency shall not assign or otherwise transfer the same to any other person or entity.

12. **Confidentiality.** From time to time during the term of this Agreement, either party may be required to disclose information to the other party that is marked "confidential" or the like, or that is of such a type that the confidentiality thereof is reasonably apparent ("Confidential Information"). The receiving party will: (a) limit disclosure of any Confidential Information of the other party to the receiving party's directors, officers, employees, agents and other representatives (collectively "Representatives") who have a need to know such Confidential Information in connection with the business relationship between the parties to which this Agreement relates, and only for that purpose; (b) advise its Representatives of the confidential nature of the Confidential Information and of the obligations set forth in this Agreement and require such Representatives to keep the Confidential Information confidential and to use it only as permitted by this Agreement; (c) keep all Confidential Information confidential by using a reasonable degree of care, but not less than the degree of care used by it in safeguarding its own confidential information; and (d) not disclose any Confidential Information received by it to any third party (except as otherwise provided for herein). Notwithstanding the foregoing, however, a party may disclose Confidential Information of the other party pursuant to any governmental, judicial, or administrative order, subpoena, discovery request, regulatory request, or Freedom of Information Act (FOIA) request, or Public Records Act (PRA) request, or similar method, provided that the party proposing to make any such disclosure will promptly notify, to the extent practicable, the other party in writing of such demand for disclosure so that the other party may, at its sole expense, seek to make such disclosure subject to a protective order or other appropriate remedy to preserve the confidentiality of the Confidential Information. Each party shall be responsible for any breach of this Section by any of such party's Representatives.

Miscellaneous.

13.1 **Governing Law.** This Agreement shall be construed in accordance with, and governed by, the laws of the State of California, without giving effect to any choice of law doctrine that would cause the law of any other jurisdiction to apply.

13.2 **Entire Agreement.** This Agreement embodies the entire agreement and understanding of the parties hereto and hereby expressly supersedes any and all prior written and oral agreements and understandings with respect to the subject matter hereof, including without limitation any and all agreements and understandings pertaining to the use of the Subscription Materials by Agency. No representation, promise, inducement, or statement of intention has been made by any party hereto that is not embodied in this Agreement. Terms and conditions set forth in any purchase order, or any other form or document of Agency, which are inconsistent with, or in addition to, the terms and conditions set forth in this Agreement, are hereby objected to and rejected in their entirety, regardless of when received, without further action or notification by Lexipol, and shall not be considered binding on Lexipol unless specifically agreed to in writing by it.

13.3 **Headings.** The captions and other headings contained in this Agreement are for convenience only and shall not be considered a part of or affect the construction and interpretation of any provision of this Agreement.

13.4 **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document.

13.5 **Amendment.** No amendment, modification, or supplement to this Agreement shall be binding unless it is in writing and signed by the party sought to be bound thereby.

13.6 **Attorneys' Fees.** If any action is brought by either party to this Agreement against the other party regarding the subject matter hereof, the prevailing party shall be entitled to recover, in addition to any other relief granted, reasonable attorneys' fees and expenses of litigation.

13.7 General Interpretation. The language used in this Agreement shall be deemed to be the language chosen by the parties hereto to express their mutual intent. This Agreement shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument or any portion thereof to be drafted, or in favor of the party receiving a particular benefit under the Agreement. No rule of strict construction will be applied against any person or entity.

13.8 Notices. Any notice required by this Agreement or given in connection with it, shall be in writing and shall be given by personal delivery, by certified mail, postage prepaid, or by recognized overnight delivery service to the appropriate party at the address of such party stated on the cover sheet to which these General Terms and Conditions are attached, or such other address as such party may indicate by a notice delivered to the other party in accordance with the terms of this Section. Alternatively, electronic mail or facsimile notice is acceptable when acknowledged by the receiving party.

13.9 Invalidity of Provisions. Each of the provisions contained in this Agreement is distinct and severable and a declaration of invalidity or unenforceability of any such provision or part thereof by a court of competent jurisdiction shall not affect the validity or enforceability of any other provision hereof. Further, if a court of competent jurisdiction finds any provision of this Agreement to be invalid or unenforceable, then the parties agree that the court should endeavor to give effect to the parties' intention as reflected in such provision to the maximum extent possible.

13.10 Waiver. Lexipol's failure to exercise, or delay in exercising, any right or remedy under any provision of this Agreement shall not constitute a waiver of such right or remedy.

End of General Terms and Conditions

EXHIBIT C

Scope of Services

Policy Manual

Legally defensible, up-to-date policies are the foundation for consistent, safe public safety operations and are key to lowering liability and risk. Lexipol's comprehensive policy manual covers all aspects of your agency's operations.

- More than 155 policies researched and written by public safety attorneys and subject matter experts
- Policies based on State and federal laws and regulations as well as nationwide best practices
- Content customized to reflect your agency's terminology and structure

Daily Training Bulletins (DTBs)

Even the best policy manual lacks effectiveness if it's not backed by training. Lexipol's Daily Training Bulletins are designed to help your personnel learn and apply your agency's policy content through 2-minute training exercises.

- Scenario-based training ties policy to real-world applications
- Understanding and retention of policy content is improved via a singular focus on one distinct aspect of the policy
- Each Daily Training Bulletin concludes with a question that confirms the user understood the training objective
- Daily Training Bulletins can be completed via computers or from smartphones, tablets or other mobile devices
- Reports show completion of Daily Training Bulletins by agency member and topic

Policy Updates

Lexipol's legal and content development teams continuously review state and federal laws and regulations, court decisions and evolving best practices. When needed, we create new and updated policies and provide them to your agency, making it simple and efficient to keep your policy content up to date.

- Updates delivered to you through Lexipol's web-based content delivery platform
- Changes presented in side-by-side comparison against existing policy so you can easily identify modifications/improvements
- Your agency can accept, reject or customize each update

Web-Based Delivery Platform and Mobile App (Knowledge Management System)

Lexipol's online content delivery platform, called KMS, provides secure storage and easy access to all your policy and training content, and our KMS mobile app facilitates staff use of policies and training completion.

- Ability to edit and customize content to reflect your agency's mission and philosophy
- Efficient distribution of policies, updates and training to staff
- Archival and easy retrieval of all versions of your agency's policy manual
- Mobile app provides in-the-field access to policy and training materials

Reports

Lexipol's Knowledge Management System provides intuitive reporting capabilities and easy-to-read reports that enhance command staff meetings and strategic planning.

- Track and report when your personnel have acknowledged policies and policy updates
- Produce reports showing completion of Daily Training Bulletins
- Sort reports by agency member, topic and other subgroups (e.g., shift, assignment)
- Reduce the time your supervisors spend verifying policy acknowledgement and training completion

Supplemental Publication Service

Lexipol's Supplemental Publication Service (SPS) streamlines the storage of your agency's content, giving you one place to access procedures, guidelines, general orders, training guides or secondary policy manuals.

- Electronically links department-specific procedural or supplemental content to your policy manual
- Provides electronic issuance and tracking for your agency's procedural or supplemental content
- Allows you to create Daily Training Bulletins against your procedural content
- Designed for standard operating guidelines, procedures, general orders or field guides

Law Enforcement Operations Procedures

To ensure consistent, effective and safe operations, a law enforcement agency's procedures should align with its policies and be accessible in an easy-to-understand format. Lexipol's Law Enforcement Procedure Guide and Framework, based on national best practices, gives you the guidance and a template to build such a procedure manual.

- More than 40 procedure guides designed to help you ensure your procedures follow important policy requirements and national best practices
- Each procedure provides an editable template to conveniently author new content and merge existing agency content
- Procedures are aligned with Lexipol policy requirements to address the most important operations of a law enforcement agency
- Well-structured and policy-aligned procedures enhance preparation for accreditation assessments

Agency-Specific Content Extraction

This service is perfect for agencies that wish to populate one or more Supplemental Publication Service (SPS) manuals with their existing content. We'll do the heavy lifting of incorporating your agency's supplemental content (procedures, guidelines, general orders, training guide or a secondary policy manual) into the SPS. Access to an electronic copy of your existing content and a subscription to the Supplemental Publication Service (SPS) is required.

- Data entry of agency procedures or supplemental content into Lexipol's Knowledge Management System (KMS). Note: Lexipol reserves the right to limit the amount of content being imported into the SPS.
- Consistent, professional formatting for your agency's policy-related content
- Hyperlink related content for enhanced end-user experience

Standard Policy Cross-Reference

Making the transition to Lexipol starts with understanding how your agency's current policy content compares with Lexipol's master policy content. Our Standard Policy Cross-Reference service provides a logical method to distinguishing between the two.

- Analysis of your existing policies and procedures to identify content similar to Lexipol's state specific master content, as well as content unique to your jurisdiction and not covered within the Lexipol manual
- Your existing policies returned with annotations and tips to integrate into the Lexipol master content
- One-on-one review with your agency to discuss the cross-reference report

Implementation Policy Tier I: High-Risk Policies

Benefit from our proven, systematic approach to implementing policies. Tier I represents about 20% of the manual, including foundational policies necessary to provide structure and authority to your policy manual, as well as policies addressing high-risk, low-frequency and high-risk, high-frequency incidents. You'll receive one-on-one collaborative assistance to help you review, customize and adopt the policies efficiently and effectively.

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: DRI Projects RFP

Date: 07/27/20

DEPT OF ORIGIN: Village Manager

Bill # 75-2020

DATE SUBMITTED: 07/23/20

EXHIBITS: Request for Proposals

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED: \$

AMOUNT
BUDGETED: \$

APPROPRIATION
REQUIRED: \$

SUMMARY STATEMENT:

Resolution authorizing Village staff to release a request for proposals from firms for engineering, design, permitting and construction management services for three projects that will advance the Downtown Revitalization Initiative. Funding for the project is secured through a grant in the amount of \$4,133,506.00 that is administered by the NYS Department of State.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE MURPHY _____

TRUSTEE CATILLAZ _____

TRUSTEE LITTLE _____

**RESOLUTION AUTHORIZING THE RELEASE OF A RFP FOR PROFESSIONAL SERVICES
FOR DESIGN AND CONSTRUCTION OF PROJECTS FUNDED BY THE DOWNTOWN
REVITALIZATION INITIATIVE**

WHEREAS, the Village was awarded funding through Downtown Revitalization Initiative (DRI) for Parks, Streetscapes, and Connectivity Improvements that will advance the Downtown Revitalization Initiative; and

WHEREAS, the improvements include the following three projects as outlined in the Village's DRI Strategic Investment Plan: Create a Series of Linked Gateway Parks; Increase Connectivity between Downtown Destinations; and Enhance the Woodruff Street Streetscape; and

WHEREAS, the Village seeks to engage the services of qualified consultants to prepare designs and manage construction for the three projects;

THEREFORE, BE IT RESOLVED, the Village Board of Trustees authorizes the Village Manager to issue a request for proposals for design and construction of the Parks, Streetscapes, and Connectivity Improvements project.



Village of Saranac Lake
Community Development Department
39 Main Street
Saranac Lake, NY 12983
Phone (518) 891-4150
Fax (518) 891-1324
www.saranaclakeny.gov

**Village of Saranac Lake
Request for Proposals
Engineering Design Services and Construction Management
Parks, Streetscapes, and Connectivity Improvements**

Date of Issuance:
Proposal Deadline:

Introduction

The Village of Saranac Lake is seeking proposals from qualified consultants to prepare designs and manage construction for three projects that will advance the Downtown Revitalization Initiative: Create a Series of Linked Gateway Parks; Increase Connectivity between Downtown Destinations; and Enhance the Woodruff Street Streetscape. The Village has issued a Request for Proposals (RFP) to identify firms/team of firms with the interest, expertise and capacity to assist the Village with this exciting project. From the list of qualified firms, the Village will select the firm that is best suited to assist the Village in accordance with the Village of Saranac Lake Procurement Policy. The project is being funded by the New York State Department of State under the Downtown Revitalization Initiative.

Project Description

In July of 2018, the Village of Saranac Lake was selected as one of ten communities in New York State for Round Three of the Governor's Downtown Revitalization Initiative (DRI). Following the announcement, the Local Planning Committee (LPC) with input from the community recommended 19 projects for DRI investment and ultimately ten projects were approved by the state. Three of the projects fall within the category of Public Improvements and will be advanced by the Village of Saranac Lake:

- 1. Create a Series of Linked Gateway Parks*
Enhance the pedestrian experience and safety with new amenities at Berkeley Green Park, Ward Plumadore Park, and William Morris Park, and complementary streetscape improvements adjacent to each public space. The new network of upgraded corridors and parks will reinforce the northern and central gateways to Saranac Lake and provide accessible and attractive open spaces downtown.
- 2. Increase Connectivity between Downtown Destinations*
Transform downtown Saranac Lake into a vibrant, walkable community core by increasing connectivity between retail, recreation, and municipal amenities. Key components are the installation of landscape and safety features on Church Street; improvements to the Riverwalk; and expansion of the tree canopy along the Broadway and Main retail corridors.
- 3. Enhance the Woodruff Street Streetscape*
Revamp the Woodruff Street corridor from Broadway to Bloomingdale Avenue as a walkable destination, facilitating its development as a retail and cultural hub. Improvements will include undergrounding utility lines and installing a two-way bicycle lane, new sidewalks, high-visibility crosswalks, trees, pedestrian-scale lighting, and a complementary decorative feature.

For additional project details, see **Attachment A** which contains the full project profiles as presented in the Village of Saranac Lake DRI Strategic Investment Plan. In addition, **Attachment B** contains detailed concept plans for Berkeley Green, Ward Plumadore Park, and William Morris Park. The concept plans are from the [Saranac Lake Park Vision Plan](#). The [Downtown Saranac Lake Strategic Investment Plan](#) and Saranac Lake [DRI Application](#) can be found on the [village website](#) (Projects > Downtown Revitalization Initiative) along with other applicable documents.

Project Goals

Urban Design

- Support placemaking by investing in public streetscapes and parks to promote an attractive, walkable, dynamic downtown.
- Implement public art projects that are consistent with Saranac Lake brand message
- Utilize green infrastructure and green building techniques to create a more sustainable downtown.

Connectivity

- Identify, prioritize and correct accessibility barriers within downtown.
- Ensure that bike and pedestrian routes link and connect neighborhoods, employment centers, amenities and attractions.
- Enhance visual and pedestrian connections to Upper Broadway and Depot area from the rest of downtown.
- Invest in streetscape improvements that will promote walkability and increase safety for all ages and abilities.

Livability

- Adopt and enforce policies that help improve downtown livability.

Destination

- Support existing signature community events and activities.
- Expand and enhance waterfront amenities that improve access to and enjoyment of the abundant water resources in downtown, including the Riverwalk and other public parks.

Scope of Work

This scope of work will require the consultant(s) to refer to the DRI Strategic Investment Plan, all DRI foundational documents and other village planning documents.

It is anticipated that the consultant team will provide, at a minimum, appropriate engineering, landscape architecture, street design, structural, geotechnical, general civil, stormwater and environmental expertise. Experience working with NYS DOT and National Grid is preferred.

For preparation and certification of final designs and construction documents, and for supervision of construction, a registered licensed professional engineer, architect, or landscape architect licensed to practice in New York State is required. All designs and documents provided to the Village will require a stamp from the appropriate licensed professional described above.

Proposals shall reflect the tasks and deliverables described below which outlines the minimum expectations for the project. The following tasks are required *for each of the 3 project components*: Create a Series of Linked Gateway Parks, Increase Connectivity between Downtown Destinations, and Enhance the Woodruff Street Streetscape. Products identified for each task (for each project component) must be submitted to the Village and DOS for review and approval.

Task 1: Project Kick-Off Meeting

- Identify and review design goals, schedule, scope of work, and expected deliverables
- Determine scope and frequency of coordination conference calls between consultant, Village, and project staff to discuss project progress
- Determine scope and frequency of progress reports and invoices to be prepared by the consultant to keep the project on schedule
- Site walk-through of the streets, parks, and riverfront for which designs will be rendered

Products: Brief meeting summary documenting agreements/understandings reached at the kick-off meeting, including frequency and method of project progress reports, coordination conference calls, and invoices.

Task 2: Draft Design

The consultant(s) shall prepare a draft design based upon the conceptual designs from Village of Saranac Lake's Downtown Revitalization Strategic Investment Plan. The consultant(s) will work with the Village's Project Advisory Committee (PAC) who will provide judicious advice, from a citizen perspective, regarding the project designs. The consultant(s) should plan to meet with the PAC (in-person or via video conference) several times during the design phase. The draft design shall include all required maps, tables, data, written discussions, and other information as identified in the contract and subcontract work plans. The draft design shall be provided to the Department of State (DOS) for review. DOS comments must be addressed to the satisfaction of DOS in subsequent revisions of the final design.

Products: Draft design and supporting materials.

Task 3: Public Input

The consultant(s) will develop and conduct one (1) public engagement session to gather input, feedback, and identify concerns regarding preliminary designs. The consultant must outline the method and scope of public engagement to achieve the above goal. The PAC will assist with public engagement.

Products: Summary of public input and if applicable, revision of draft designs based on public input.

Task 4: Environmental Quality Review

The consultant(s) shall prepare all documents necessary to comply with the State Environmental Quality Review Act (SEQRA) through determination of significance. If a positive declaration is made, a Draft Environmental Impact Statement shall be prepared.

Products: SEQRA documents and, if necessary, a Draft Environmental Impact Statement.

Task 5: Final Design and Construction Documents

The consultant(s) shall prepare the final design and construction drawings, plans, specifications, and cost estimates (including 15% contingency). The final design and construction documents shall be provided to DOS for review. Final design and construction documents are subject to approval by the DOS. These documents must be certified by a licensed professional engineer, architect, or landscape architect and the appropriate seal must be affixed to these documents.

Products: Final design and construction documents, certified by a licensed professional engineer, architect or landscape architect.

Task 6: Permits

The consultant(s) shall prepare the necessary permit or other approval applications and obtain the required permits or approvals. Prior to construction the consultant(s) shall also demonstrate that the project is in compliance with 6 NYCRR Part 502, "Floodplain Management Criteria for State Projects" by obtaining a floodplain development permit, if local regulations establish such requirements, or by submitting a signed certification, by an official authorized to enforce local floodplain management regulations, that the project complies with the requirements of the statute.

Products: Copies of all required permits and approvals shall be submitted to the Village and DOS upon receipt.

Task 7: Bid Process and Selection of Construction Subcontractor

After the final design and construction documents have been approved by DOS, the consultant(s) shall prepare and distribute a bid invitation to select a construction subcontractor or subcontractors. Prior to distributing the bid invitation, the consultant(s) shall submit the bid invitation to DOS for review and comment.

The consultant(s) and Village staff shall select the construction subcontractor(s) from the bid respondents and shall prepare a draft contract or contract(s) to conduct the work with the selected construction subcontractor(s). The contract(s) shall contain a detailed work plan with adequate opportunity for review at appropriate stages of project completion, a payment schedule with payments tied to receipt of products/project milestones, and project costs. The Village and consultant(s) must certify to DOS that applicable public bidding procedures of General Municipal Law were followed for the selection of all construction or other subcontractors.

The Village shall submit the draft subcontract(s) to DOS for review and approval and shall incorporate any comments in the final subcontract(s). A copy of the final, executed subcontract(s) shall be submitted to the DOS.

Products: Executed construction subcontract(s). Written certification of procurement procedures.

Task 8: Project Signage

The consultant(s) shall install, or cause to be installed, a sign satisfactory to DOS identifying the State's funding of the project. The project sign shall remain in place for at least 60 days after completion of construction or initial occupancy, whichever duration is longer.

Products: DOS-approved sign design, and photo-documentation that sign is installed in project area.

Task 9: Construction, Construction Management and Site Inspection

After receipt of all necessary permits, the consultant(s) or its construction subcontractor(s) may begin construction work according to the final design and construction documents - including any site remediation as necessary to remove contaminated soil. The consultant(s) shall monitor and provide oversight of the selected construction contractor. The consultant(s) shall provide notification to the Village monthly (or more frequently) in writing of work progress, including any delays which have occurred. After 70% of the work is completed, the progress notification will include a punch list of any incomplete items and an estimated schedule for project completion.

Consultants must receive written authorization prior to committing time to revising any design plans for the deliverables detailed above. Any work completed without prior authorization from Village staff may not be eligible for payment.

The consultant(s) and/or the DOS shall verify progress and completion of the work through periodic site inspections. The consultant(s) shall submit to the Village written summaries of progress including photo documentation and identification of problems to be addressed based on periodic site inspections.

Products: Written summary of periodic site visits including photo-documentation and identification of any problems that need to be addressed. Punch list and construction completion estimates.

Task 10: Completion of Project

Following satisfaction of punch list items, the consultant(s) shall submit a statement that the work has been completed in accordance with the contract and subcontract(s), the final design and construction specifications, and all permit requirements. The completion statement must be prepared and/or certified by a licensed professional engineer, architect or landscape architect. Unless otherwise specified during project kick-off meeting, the consultant(s) shall submit two sets of as-built plans, certified by a licensed professional engineer, architect or landscape architect. When the Village is satisfied work is complete, it shall submit a final project report to DOS, including a copy of the completion statement and a copy of the certified as-built plans and photo-documentation in the form of digital images of the site prior to, during and upon completion of work. The consultant(s) shall not submit a final payment request to the Village until the Village concurs that the work is complete.

Products: Statement of completion, certified as-built plans, and final project report including photo-documentation.

Task 10: Project Reporting

a. MWBE Reporting

The consultant(s) shall be required to provide the Village with all information required by the New York State Contract System ("NYSCS") to record payments to subcontractors (including a breakdown of payments issued to state-certified MWBE firms) and otherwise report compliance with the provisions of Article 15-A of the Executive Law and regulations in relation to funds used pursuant to the Village Contract, which is available upon request.

b. Project Status Reports

The consultant(s) shall submit semi-annual (every June 30 and December 31) project status reports on the forms provided, including a description of the work accomplished, the status of all tasks in contract, schedule of completion of remaining tasks, and an explanation of any problems encountered.

c. Final Project Summary

The consultant(s) shall work with the Village to complete the Final Project Summary Report. Final payment shall not be authorized until this report has been completed and filed with project deliverables.

Products: Ongoing MWBE reporting during the life of the contract. Completed project status reports submitted to the Village during the life of the contract. Completed Final Project Summary Report submitted to DOS.

Task order above is not entirely indicative of a timeline or order in which deliverables will be requested.

The Village recognizes that there are different approaches that can lead to the desired outcomes that have been noted in this RFP. If, based on the consultant's knowledge and experience, the consultant believes the required scope of work should be changed in any way, the suggested changes should be outlined in their response. Respondents to the RFP are required to include a recommended project approach based on their expertise and experience with similar projects. The Village and NYSDOS reserve the right to modify the above-mentioned scope of services based on project approaches that may be recommended by respondents, and all RFP document holders shall be notified of such changes.

All documents requested as part of the deliverables, both draft and final products will be submitted to the Village with the following considerations:

** The consultant will be required to use American Institute of Architects (AIA) or Engineers Joint Contract Documents Committee (EJCDC) standard documents compliant with applicable regulatory municipal construction requirements, and must be otherwise acceptable to the NYS Department of State.*

**All designs are subject to the review, comment, and approval by the Village of Saranac Lake and NYS DOS*

**All designs should abide by and be consistent with adopted plans, including the Park Vision Plan, Bicycle and Pedestrian Trail Master Plan, and Downtown Strategic Investment Plan.*

Required Products

The consultant(s) must submit to the Village all required products, clearly labeled with the assigned NYS contract number (C1001616) and where applicable the related task number from the Contract Work Plan.

Unless otherwise specified by the Village, the consultant(s) shall submit products in the following formats:

- Draft products: one electronic copy of each product must be submitted in Adobe® Acrobat® Portable Document Format (PDF), created using 300 dpi scanning resolution and Microsoft Word, if applicable.
- Final products: one electronic copy of each product must be submitted in PDF, created using 300 dpi scanning resolution and Microsoft Word, if applicable. In addition, two paper copies of each final product (including reports, designs, maps, drawings, and plans) must be submitted.
- Electronic data for all Geographic Information System-based mapping products must be submitted in either ArcGIS format, or similar product acceptable to the Village, and comply with the requirements for NYS Contract GIS Products. Formal metadata must be provided with all digital GIS data which includes, at minimum, a file summary/abstract, intended use, data, source data, and author information.
- Electronic data for all designs, drawings, and plans must be submitted in the original software that they were created (such as CAD format or other similar product acceptable to the Village), as well as in JPG format.
- Photographs and images must be submitted in JPG format with a minimum resolution of 300 dpi and must be dated and captioned with the location and a brief description of the activity being documented and include any associated metadata (including the photo's GPS location where available).

All work produced for this project, preliminary and final, paper and electronic format shall be property of New York State and can be used by New York State agencies.

Budget

The maximum project budget available for all costs including but not limited to design/engineering, permitting, construction, construction oversight and inspection shall not exceed \$4,133,506.

It is anticipated that completion the deliverable associated with each task shall serve as the basis for payment. The consultant must submit a brief progress report with each invoice describing the progress on each task.

Proposal Submission Requirements

Responses to the RFP shall include the following components in sequential order:

1. An introductory Letter of Interest (2 pages max) – a short introduction and summary of the company/consultant and any subcontractors, including a single contact, telephone number, email address and a description of what disciplines are included within the firm/team.
2. Scope of Work (15 pages max) – include a detailed work program explaining how the consultant proposes to perform the Scope of Work that includes:
 - a. A discussion of the firm's approach to the overall project
 - b. Each task to be completed and the firm's approach to completing each task listed above
 - c. Timeline for each task
 - d. Schedule of work products
 - e. Proposed budget with:
 - i. Total project cost with a cost breakdown for each work task complete with proposed number of hours to complete each task, assigned staff member, and billing rates
 - ii. Not to exceed fee for services required to fulfill the deliverables described herein
3. Project Management/Communication (1-page max) – proposed method of project management and proposed, best means of communication with the Village of Saranac Lake about project progress, review, and conduct of public engagement.
4. Qualifications and References (10 pages max) – provide a firm profile that will include the following:
 - a. List of similar projects completed by firm with one (1) reference for each respective project
 - i. Current contact names and telephone numbers for references
 - ii. Summary of project(s)
 - iii. Public involvement in project(s)

- b. Project team organizational chart
 - i. Resumes for each team member to be assigned to project
- 5. Work Sample: a representative work sample similar to the work being requested. Sample may be provided digitally as PDF or web link can be provided. One (1) sample is required.

Proposal Format

Submit **four (4) complete, hard-copies of the proposal and one (1) electronic copy** in a universally, accessible digital format (i.e. CD or flash drive). All submissions become property of the Village of Saranac Lake and New York State Department of State upon submission.

Submission of hard copies may be hand delivered or mailed to:
Community Development Department

Village of Saranac Lake
ATTN: Parks, Streetscapes, and Connectivity Improvements
39 Main Street, Suite 9
Saranac Lake, NY 12983

Electronic copy should be emailed to:

comdev@saranaclakeny.gov

Schedule

RFP Issued	Tuesday, July 28 th
Walkthrough of Project Area	August 10 th , 12 th and 13 th (if interested in attending a walkthrough of the project area, please email Cassandra Hopkins at comdevassistant@saranaclakeny.gov)
Deadline to Submit Questions	September 3 rd
RFP Responses Due	Friday September 11th by 3:00PM
Evaluation of Proposals	September 14 th -October 2 nd
Consultant Selected and Notified	Monday October 5 th

**Note: All dates are tentative and subject to change*

Questions concerning responses to the RFP must be submitted by email to Jamie Konkoski, comdev@saranaclakeny.gov.

Answers to all questions will be posted on the Village webpage for [Doing Business with the Village](#).

Conditions Governing Responses

Only those proposals which contain complete information and are responsive to the RFP will be considered. The Village of Saranac Lake reserves the right to:

- Accept or reject any or all submissions associated with this work;
- Cancel the selection process or schedule at any time.
- Request qualified respondents to consider contracting for only certain elements of the project or to consider partnering with other qualified respondents;
- Require respondents to clarify aspects of their understanding of and approach to the project in person, by email or by telephone/video conference;
- Waive or modify minor irregularities in responses received;

- Negotiate with respondents to best serve the interests of the Village of Saranac Lake;
- Amend specifications after their release, with due notice given to all consultants to modify their proposals to reflect changed specifications;
- Award a contract for any or all parts of the project including award of specific project components to one or more qualified respondent.
- Reject any and all responses to this RFP and to seek new proposals when it is in the best interest of the Village to do so.
- Evaluate the proposals as to their veracity, substance and relevance to project and seek clarification or additional information from proposer and independent sources as it deems necessary to evaluation of the response, including evidence of the Proposer's financial status.
- Incorporate this RFP and the selected Proposer's response to this RFP as a part of any formal agreement between the Village and the Proposer.

Selection Procedure

Responses will be will be evaluated by a committee of Village staff. Respondents will be assessed against the following criteria:

Component	RFP Score
Responsiveness to the RFP	10 points
Understanding of Scope of Work	20 points
Proposed Schedules and Budgets	15 points
Past Performance on Similar Projects	15 points
Qualifications and Experience of Proposed Staff	15 points
Overall Strategy and Quality of Proposal	25 points
TOTAL	100 points

From the list of qualified firms, the Village will select the firm that is best suited to assist the Village in accordance with the Village of Saranac Lake Procurement Policy. Presentations may be required of qualified finalists. If required, presentations will be held at a time, date, and location chosen by the Village.

Proposals will be selected and judged based on the qualification and merit of the proposal. Total proposed cost will be used as a secondary consideration for firms that are ranked similarly.

The selection committee will conduct interviews of finalists and allow for in-person or video conference presentations between **September 21st-30th**.

Submission of responses by Minority and Women Owned Business Enterprises is strongly encouraged.

The selection of the consultant shall be made without regard to race, color, sex, age, religion, national origin, or political affiliation.

The selected consultant shall comply with all applicable federal, state, and local laws and regulations in the performance of service.

Interview Guidelines

Interviews will be required to provide the Village an opportunity to obtain an understanding of:

- The consultant/firm's depth of knowledge of the subject matter of the RFP and understanding of the Village's needs
- The overall proposed work plan and approach to project
- The respondent's ability to pull together individuals with the necessary skills and expertise to contribute to the successful completion of the project

- The primary features and benefits of the proposal
- The public presentation skills of the proposers

Interview/presentation format is left to the discretion of the Village. Interviews will be limited to 1 hour, which includes time for questions.

Conditions to Request for Proposal

a. MBE/WBE Requirements

The Village and Department of State have established an overall goal of 30% for Minority and Women-Owned Business Enterprises (“MWBE”), comprised of specific goals of 15% for Minority-Owned Business Enterprises (“MBE”) participation and 15% for Women-Owned Business Enterprises (“WBE”) participation.

For purposes of providing meaningful participation by MWBEs and achieving the Contract Goals established, the selected consultant should reference the directory of New York State Certified MBWEs found at the following internet address: <https://ny.newycontracts.com/FrontEnd/VendorSearchPublic.asp>

Where MWBE goals have been established herein, the consultant must document “good faith efforts” to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract. In accordance with Section 316-a of Article 15-A and 5 NYCRR §142.13, the consultant acknowledges that if the consultant is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the DOS contract, such a finding constitutes a breach of contract and the consultant shall be liable to the City for liquidated or other appropriate damages, as set forth herein.

b. Insurance Requirements

Proof of General Liability Insurance, Automobile Liability, Worker's Compensation and NYS Disability Insurance will be required from the consultant prior to commencing any work. Liability insurance coverage shall be in the amount of \$2,000,000 aggregate (combined single limit or equivalent), with the Village of Saranac Lake named as additional insured.

c. Modifications to the RFP

Any material clarifications or modifications to the RFP or the selection process will be made in writing and provided to all persons who submit proposals (“proposer”). It is the responsibility of the proposer teams, before submitting a response to the RFP, to ascertain if the Village has issued any notices, clarifications, addenda, or other communications to proposers. Oral explanations or instructions from Village staff, officials or consultants shall not be considered binding on the Village.

d. Public Information

All documents, conversations, correspondence, etc. between the Village and Proposers are public information subject to the laws and regulations concerning disclosure that govern the New York State municipalities, unless specifically identified otherwise.

Additional Considerations

- The Village is not responsible for responses that are not received or that do not arrive by the submission deadline.
- Expenses incurred in the preparation of responses shall be borne by the respondent(s) with the express understanding that the respondent(s) may not apply to the Village for reimbursement for these expenses.

- By submitting a response, the respondent agrees that it will not make any claim for or have any right to damages because of any lack of information or misinterpretation of the information provided in the response.
- If respondent provides material(s) of a confidential nature for disclosure to third parties, the respondent should clearly indicate the specific material(s) it considers confidential. Subject to the provisions of FOIL and any other applicable laws, the Village of Saranac Lake may agree to maintain confidentiality of such material(s) if requested. The Village of Saranac Lake assumes no responsibility for any loss or damage resulting out of any determination requiring disclosure of information pursuant to FOIL.
- The Village of Saranac Lake is not liable for any costs incurred by any individual or firm for work performed to prepare its response or for any travel and or other expenses incurred in the preparation and/or submission of its response or participation in subsequent interviews or presentations. Further, the Village of Saranac Lake is not liable for any costs incurred prior to approval of the contract.
- The New York State Department of State must approve all consultants and sub-contractors. The consultant must comply with all provisions in the Contract between the New York State Department of State and the Village of Saranac Lake, including all appendices and including MWBE requirements (30%). A copy of the contract is available upon request.

Notification of Award

The successful respondent will be notified by phone, followed by written confirmation. For those proposals that are not accepted, respondents will be notified in writing, via email.

The Village of Saranac Lake will authorize the award of a contract to the successful respondent. In the event a contract cannot be finalized 30 days of the award, the Village of Saranac Lake reserves the right to enter into negotiations with another respondent.

Inquiries

All inquiries should be directed to:

Jamie Konkoski
Village of Saranac Lake
39 Main Street, Suite 9
Saranac Lake, NY 12983
(518) 891-4150
comdev@saranaclakeny.gov

Attachment A

1. Create a Series of Linked Gateway Parks



Project Title:

Saranac Lake Gateway Parks and Streetscape Project

DRI Funding Request:

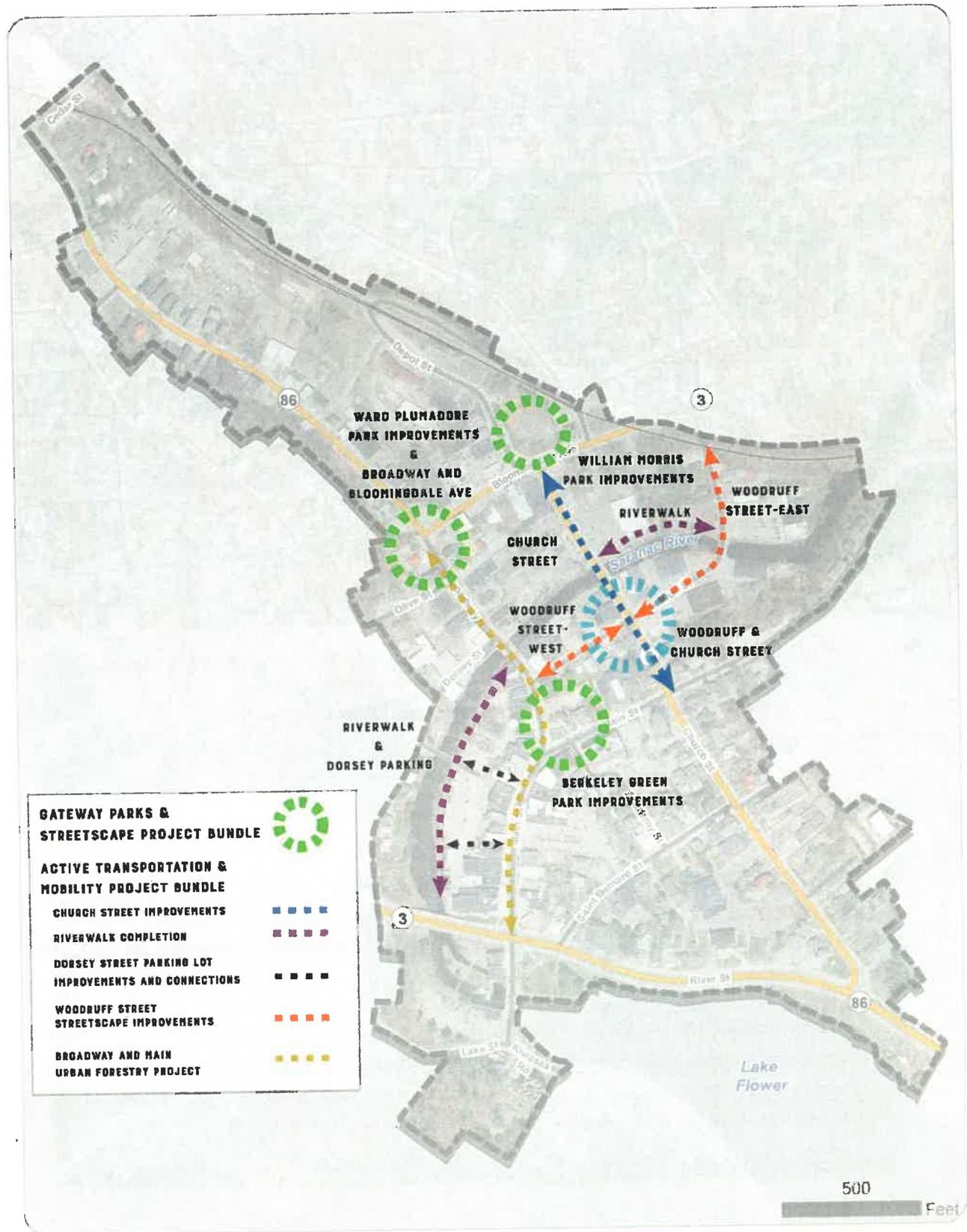
Total DRI Funds: \$1,077,769

Total Project Cost: \$1,077,769

Overall Project Description

The Gateway Parks and Streetscape Project Bundle is a group of three Village park improvement projects that reinforce the northern and central gateways to the Village. Each park is linked to streetscape improvements that increase access for visitors and residents to the unique open spaces the Village has to offer. The combination of enhanced pedestrian and public space improvements including iconic art installations surrounding the parks will help to bring the parks outside to the street and green the adjacent transportation corridors in the Village. These park and streetscape improvements are anticipated to calm traffic, increase pedestrian safety and support the uniqueness of the Village by enhancing active and passive outdoor destinations right Downtown.

Overall Project Location



Property Owner/Sponsor

The Village of Saranac Lake would be the contracting party responsible for managing the design and implementation phases of the project.

Capacity

With appropriate construction funding for the project, the Village of Saranac Lake has the capacity to contract for design and implement improvements.

Project Partners

- New York State Department of Transportation-Region 7
- Friends of the Adirondack Carousel
- A private contractor may be selected by the Village to carry out the proposed improvements

Strategies

The project aligns with the following Saranac Lake DRI strategies:

- **Urban Design** – Capitalize on downtown’s unique and attractive design by enhancing historic architecture and building scale, form, context, a mix of uses, the streetscape, parks and access to the Saranac River.
 - Support placemaking by investing in public streetscapes and parks to promote an attractive, walkable, dynamic downtown.
 - Implement public art projects that are consistent with Saranac Lake brand message.
 - Utilize green infrastructure and green building techniques to create a more sustainable downtown.
- **Connectivity** – Strengthen year-round multi-modal connections between downtown amenities and attractions to surrounding neighborhoods, natural areas and to other communities with high-quality infrastructure.
- Enhance visual and pedestrian connections to Upper Broadway and Depot area from the rest of downtown.

- Invest in streetscape improvements that will promote walkability and increase safety for all ages and abilities.
- **Livability** – Enhance and maintain downtown as a complete neighborhood where a range of services, amenities, and housing options provide a desirable lifestyle.
 - Adopt and enforce policies that help improve downtown livability.
- **Destination** – Make downtown a premier regional destination for entertainment, art, culture, shopping and dining for residents, workers and travelers.
 - Support existing signature community events and activities.

This project aligns with the following North Country REDC Strategies:

- Activate tourism as a driver to diversifying North Country economies
- Elevate Global Recognition of the region as one of the special places on the planet to visit, live, work and study
 - Create and manage a transformational regional “brand” which powerfully communicates the unique identity and resources of the people, places and products of the North Country region.

The project achieves the goals articulated in the following plans:

- The Village of Saranac Lake Bicycle and Pedestrian Trail Plan (NYSDOS) 2013
- The Village of Saranac Lake Parks Plan (NYSDOS) – 2018

Anticipated Revitalization Benefits

Short Term: The Gateway Parks and Streetscape Project will provide substantial improvements to public space amenities within Downtown. These improvements have the potential to strengthen the market for adjacent residential and commercial properties.

Medium Term: Enhancing the downtown experience through improved opportunities for active and passive recreation destinations downtown is expected to increase visitors and support a stronger consumer base for local retail and year around events.

Long Term: Increased access to unique walkable destinations throughout the downtown is expected to spur private and public investment in commercial, institutional and residential development.

Specifically, the redesign of Ward Plumadore would have a positive visual impact that would help to connect Upper Broadway (a priority area) to the rest of downtown. From a pedestrian standpoint, Upper Broadway is disconnected from the rest of downtown. The redesign of the park could potentially catalyze a public-private partnership with the adjacent business to activate or program the space. William Morris Park improvements will support proposed public and private projects in the area near Depot Street and connect with proposed Active Transportation and Mobility projects.

Public Support

The projects included in the Gateway Park and Streetscape Improvements Project were strongly supported at all public meetings and were discussed at all LPC meetings. This project was also recommended for consideration by the full LPC by the Public Space and Streetscape Working Group.

Jobs Created

There is a possibility of jobs being created from the implementation of the project through the private construction contractors. Long term jobs may be created from the increase in visitors to the Adirondack Carousel, band performances and maintenance staff for Berkeley Green Park.

Acquisition of Real Property

All project areas are located within Village owned public right-of-way.

Overall Project Budget and Funding Sources

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Berkeley Green Park and Streetscape Improvements	\$629,271	-	-	\$629,271
Ward Plumadore Park Improvements	\$276,942	-	-	\$276,942
William Morris Park Improvements	\$171,556	-	-	\$171,556
Totals:	\$1,077,769	-	-	\$1,077,769

*Additional public funds that may support the project: CFA, NYS OPRHP, NYSDOT Transportation Alternative Program

Feasibility and Cost Justification

The proposed improvements include strategic investments in existing parks throughout the Downtown. The feasibility is high due to limited conflicts within the Parks. The streetscape improvements at Berkeley Green would be installed over recently replaced water and sewer lines. (need to confirm based on work group map)

Regulatory Requirements

The project will require the approval of the Village of Saranac Lake and the issuance of a building permit.

Since the project involves public spaces it will need to meet requirements of the Americans with Disabilities Act.

The project will require a Highway Work Permit from NYSDOT for minor work within State ROW. For full street reconstruction and changes to curb alignment, a design approval document will need to be prepared for NYSDOT review and approval. All design documentation would need to meet NYSDOT standards and specifications.

In addition, the project will adhere to the following design standards and guidelines:

- Village of Saranac Lake Complete Streets Policy
- NYS Stormwater Management Design Manual
- AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities
- AASHTO Guide for the Development of Bicycle Facilities
- NACTO Urban Street Design Guide
- NACTO Urban Bikeway Design Guide
- NACTO Urban Street Stormwater Guide
- ITE Designing Walkable Urban Thoroughfares: A Context Sensitive Approach
- Dark Sky Friendly Technology
- Saranac Lake Brand Guidelines

Project Components with Cost Estimates and Images of Current and Proposed Conditions

Berkeley Green Park and Streetscape Improvements

Berkeley Green is an existing Village park located in the heart of Downtown Saranac Lake and is the centerpiece of downtown. It serves as a central meeting point for residents and visitors especially during the winter months when the Village fires up “Old Smokey,” the community fire pit. The essential improvements to the park include a neckdown at the parking lot entrance in addition to a new public restroom facility in the adjacent public parking lot, the addition of bike and pedestrian amenities at the entrance of the existing parking lot, a new stairwell to the neighboring pocket park, neckdowns at the parking lot entrance and overall landscaping. The proposal also includes a new community kiosk located within the park to serve as a community calendar for residents and visitors. The proposed improvements are intended to distinguish Berkeley Green as a hub for year-round community events.

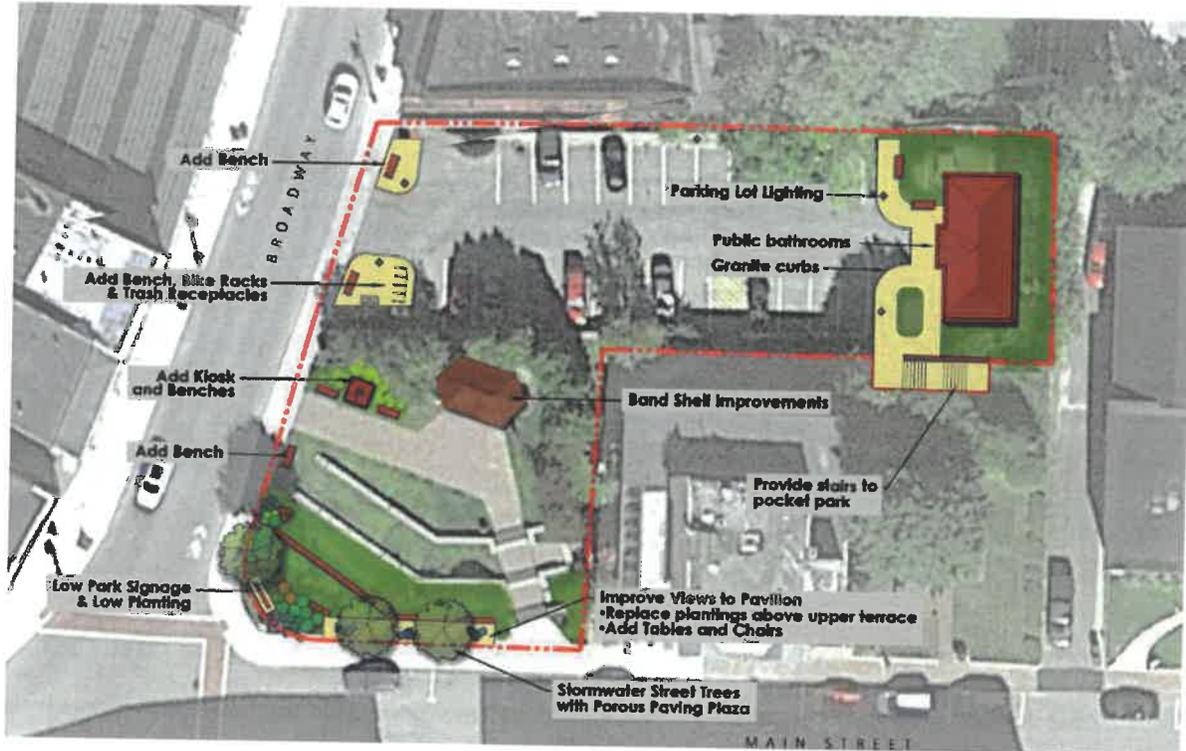
The intersection of Broadway and Main serves as the heart of the Village and is one of the busiest intersections

in the Downtown. The improvements at Broadway and Main will improve pedestrian safety and increase access to Berkeley Green. The proposal includes curb extensions (bump-outs) on the north and south eastern corners of the intersection to reduce the pedestrian crosswalk distances and increase visibility and new high-visibility crosswalks. The additional pedestrian space can bring Berkeley Green out into the streetscape and provide space for additional street trees and plantings.

Berkeley Green Cost Estimate

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$436,994	-	-	\$436,994
Contingency (20%)	\$87,399	-	-	\$87,399
Design & Permitting (15%)	\$65,549	-	-	\$65,549
Construction Oversight & Inspection	\$39,329	-	-	\$39,329
Totals:	\$629,271	-	-	\$629,271

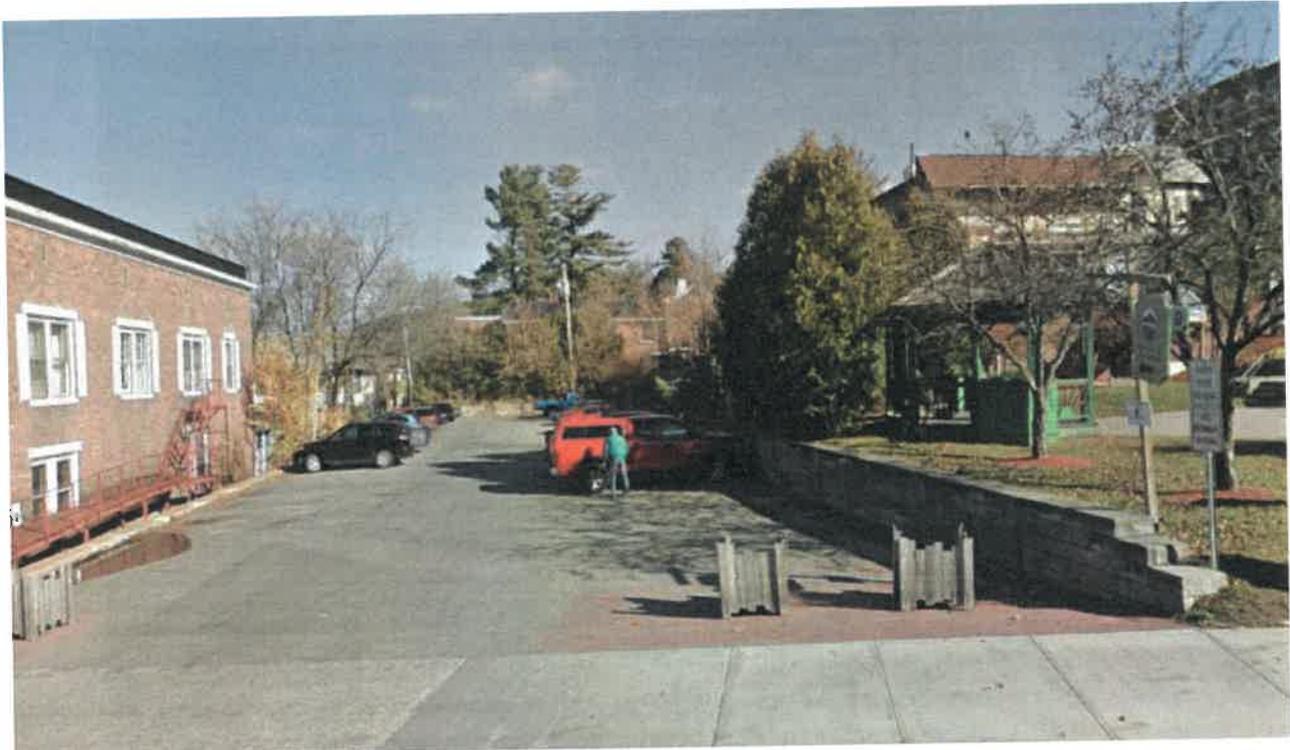
Images of Current and Proposed Conditions



Berkeley Green Improvements - Proposed Plan (conceptual)



Berkeley Green Streetscape Improvements- Proposed Plan



Berkeley Green Park and Streetscape Improvements- Existing Condition



Berkeley Green Park and Streetscape Improvements – Proposed Condition (conceptual)

Ward Plumadore Park Improvements

The improvements to Ward Plumadore Park at the intersection of Broadway and Bloomingdale Ave will provide an exciting opportunity to transform a busy northern gateway into a walkable and passive recreation destination for the Downtown. The Village property is currently underdeveloped and is used by adjacent businesses as overflow parking. The new park will include two paved, terraced plazas with seating, landscape improvements and the foundations for new public art installations. The park will also provide the opportunity for future trail connections into the residential neighborhoods north of the park.

Ward Plumadore Park Cost Estimate

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$192,321	-	-	\$192,321
Contingency (20%)	\$38,464	-	-	\$38,464
Design & Permitting (15%)	\$28,848	-	-	\$28,848
Construction Oversight & Inspection	\$17,309	-	-	\$17,309
Totals:	\$276,942	-	-	\$276,942

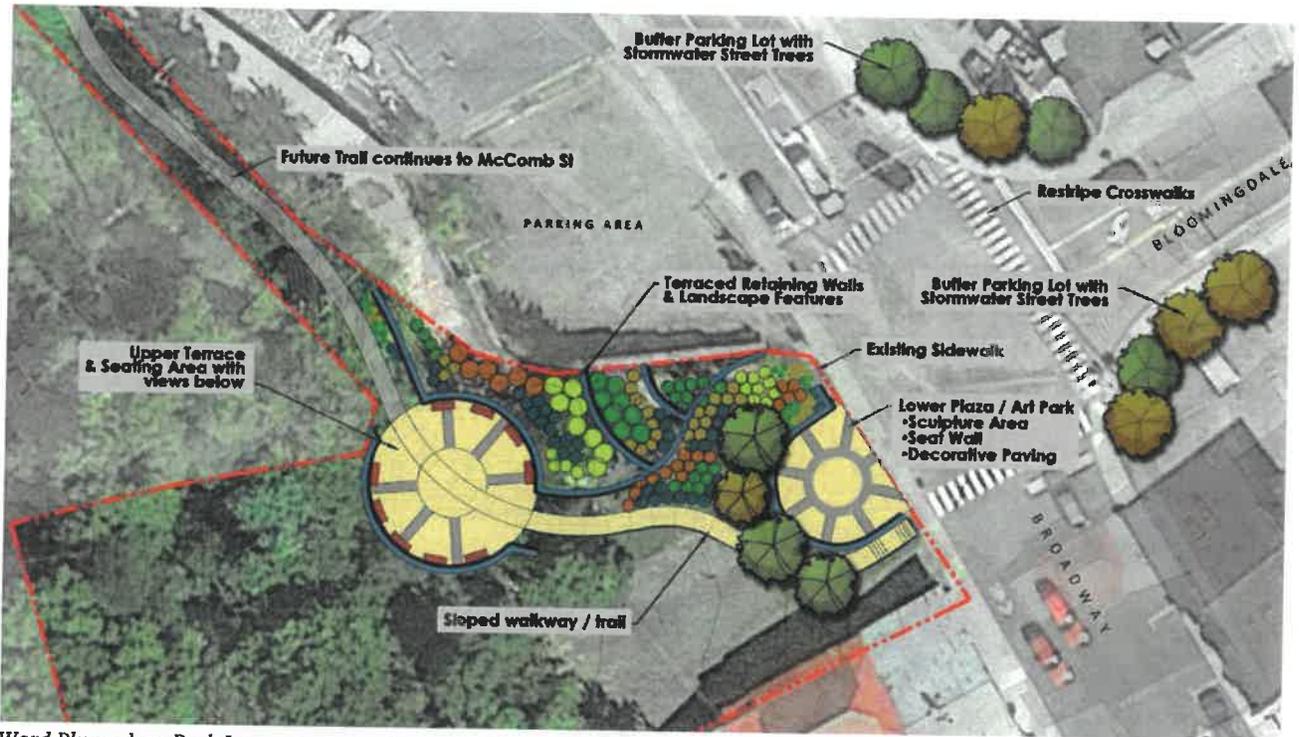
Images of Current and Proposed Conditions



Ward Plumadore Park Improvements- Existing Condition



Ward Plumadore Park Improvements- Existing Condition: Street View



Ward Plumadore Park Improvements- Proposed Plan (conceptual)



Ward Plumadore Park Improvements- Proposed Rendering (conceptual)

William Morris Park Improvements

William Morris Park is an existing park located in the northeastern area of Downtown. The main attraction of the Park is the recently constructed Adirondack Carousel which opened its doors in 2012. The proposed park improvements which include enhancement of the existing kiosk at the corner of Depot Street and Bloomingdale Ave will transform the entrance of the park and showcase the park as a key destination within the Downtown. Added amenities include the addition of a

new masonry columns to frame the main entrance to the Carousel, walkways, seating and new animal sculptures at the entrance to bring the Carousel theme out into the park and the Downtown. Additional improvements are scheduled to be completed by two of the project partners; NYSDOT and Friends of ADK Carousel in Spring 2019. Improvements include a new decorative fence, reconstruction of sidewalks along the park and roadside landscaping.

William Morris Park Cost Estimate

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$119,136	-	-	\$119,136
Contingency (20%)	\$23,827	-	-	\$23,827
Design & Permitting (15%)	\$17,870	-	-	\$17,870
Construction Oversight & Inspection	\$10,722	-	-	\$10,722
Totals:	\$171,556	-	-	\$171,556

Images of Current and Proposed Conditions



William Morris Park Improvements - Existing Conditions



William Morris Park Improvements - Existing Conditions



William Morris Park Improvements – Proposed Conditions (conceptual)



William Morris Park Improvements – Proposed Conditions

Overall Project Timeframe for Implementation and Project Readiness – Gateway Parks and Streetscapes Projects

Immediate Steps (0 - 3 months)

- Formation of Project Advisory Committee: The primary purpose of the advisory committee is to provide judicious advice, from a citizen perspective, to the village elected policy-making body. The advisory committee shall be composed of members from existing village advisory boards and the DRI LPC.
- Village to assign Project Manager: The village will require a project manager to ensure its goals are implemented during the construction of the project.

Short-Term Steps (3-12 months):

- Design and Construction Documents RFP: Village will release an RFP for Design, Permitting and Engineering of Proposed Improvements.
- Design consultant selection: Village will select and execute a contract with a design consultant to prepare designs, permit applications, and construction documents.
- The design consultant will commence preparation of the design, permitting and construction documents.
- Public Art RFP: Village will release Public Art Design RFP for Signature Artwork to be incorporated into design plans.
- Artist Selection: Village will select and execute a contract with an artist to prepare signature artwork to be incorporated into design plans.

Medium-Term Steps (12-36 months):

- Village will bid the project and secure a construction contractor.
- The construction contractor will commence implementation of improvements.

Long-Term Steps: (3 - 5 years)

- Construction and Implementation.

Project Reporting

This project should be monitored for progress and adherence to the proposed scope, budget and timeline outlined above. This project will work in unison with proposed public improvements to increase activity in the Downtown. Project success can be measured indirectly through:

- Number of Visitors
- Adjacent Property Values
- Increased Retail Business

2. Increase Connectivity between Downtown Destinations



Project Title:

Downtown Saranac Lake Active Transportation and Mobility Project

DRI Funding Request:

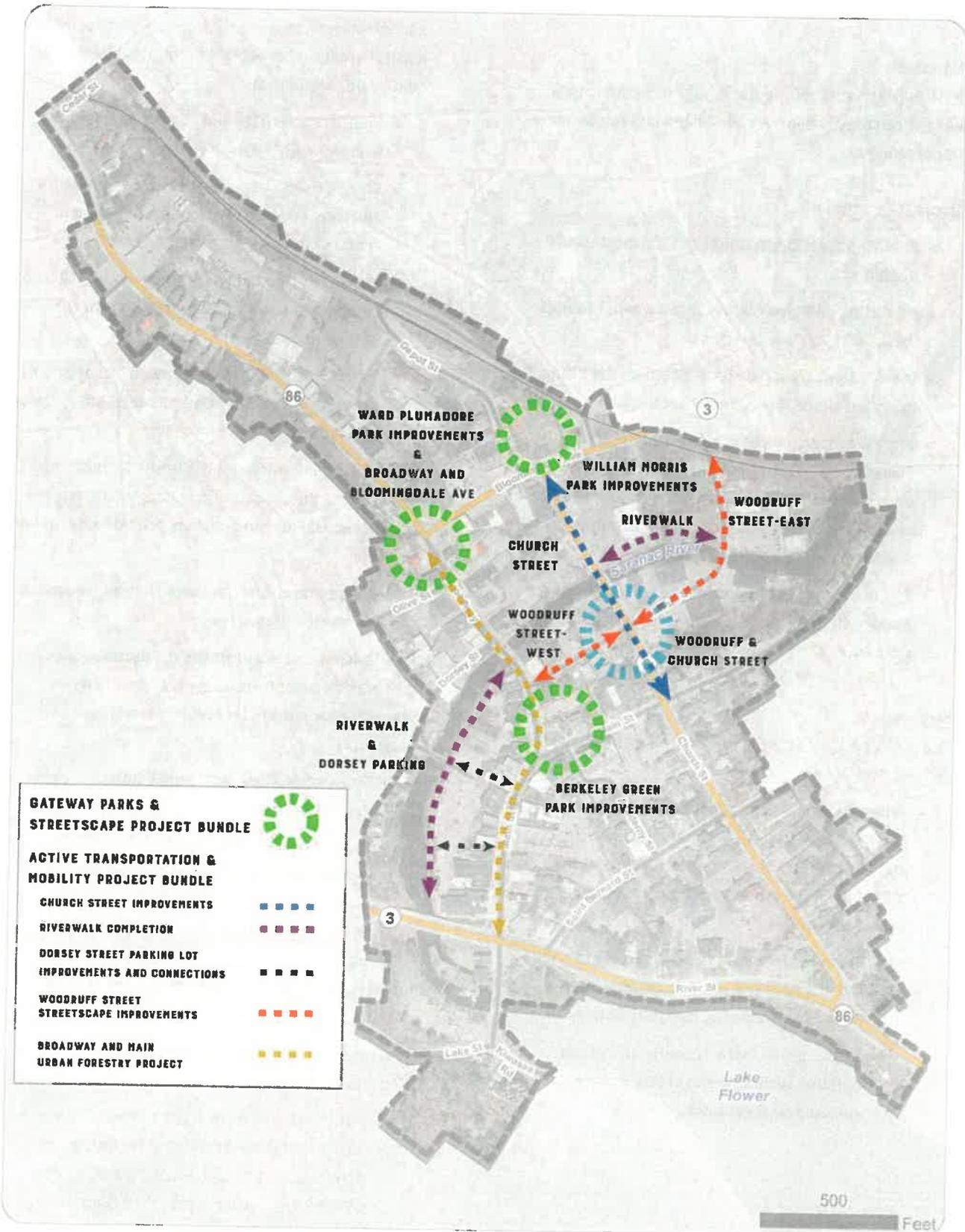
Total DRI Funds: \$1,062,073

Total Project Cost:

Overall Project Description

The Active Transportation and Mobility Project Bundle is a group of four key projects within the Downtown that build upon the existing transportation corridors of the Village of Saranac Lake. Each project fills a critical gap in the existing network Downtown and will link retail, recreation and municipal destinations throughout the Village. The combined projects will transform the Downtown into a vibrant, healthy and walkable destination for residents and visitors where one can access all the amenities the Village has to offer by foot or bike. The proposed streetscape and Riverwalk improvements will reconfigure existing roadways and public rights-of-ways into pedestrian and bike priority corridors that feature expanded sidewalks, seating, bike infrastructure, porous paving and new street trees. These improvements are anticipated to calm traffic, increase pedestrian safety and support economic development in the Downtown.

Overall Project Location



Property Owner/Sponsor

Village of Saranac Lake

Capacity

With appropriate funding the Village of Saranac Lake has the capacity to contract for design and implement improvements.

Project Partners

- New York State Department of Transportation-Region 7
- Franklin and Essex County Department of Public Works (Bridge Coordination)
- Private contractor may be selected by the Village to carry out the proposed improvements.
- Private property owners along Woodruff Street where overhead utilities will be placed underground. Coordination and funding will be needed to connect private utilities to public utilities underground.
- The former Dew Drop Inn where a segment of the Riverwalk is proposed adjacent to the existing structure.

Strategies

The project aligns with the following Saranac Lake DRI Goals & Strategies:

- **Urban Design** – Capitalize on downtown’s unique and attractive design by enhancing historic architecture and building scale, form, context, a mix of uses, the streetscape, parks and access to the Saranac River.
 - Support placemaking by investing in public streetscapes and parks to promote an attractive, walkable, dynamic downtown.
 - Utilize green infrastructure and green building techniques to create a more sustainable downtown.

- **Connectivity** – Strengthen year-round multi-modal connections between downtown amenities and attractions to surrounding neighborhoods, natural areas and to other communities with high-quality infrastructure.
 - Identify, prioritize and correct accessibility barriers within downtown.
 - Ensure that bike and pedestrian routes link and connect neighborhoods, employment centers, amenities and attractions.
 - Enhance visual and pedestrian connections to Upper Broadway and Depot area from the rest of downtown.
 - Invest in streetscape improvements that will promote walkability and increase safety for all ages and abilities.
- **Livability** – Enhance and maintain downtown as a complete neighborhood where a range of services, amenities, and housing options provide a desirable lifestyle.
 - Adopt and enforce policies that help improve downtown livability.
- **Destination** – Make downtown a premier regional destination for entertainment, art, culture, shopping and dining for residents, workers and travelers.

- Support existing signature community events and activities.
- Expand and enhance waterfront amenities that improve access to and enjoyment of the abundant water resources in downtown, including the Riverwalk and other public parks.

This project aligns with the following North Country REDC Strategies:

- Activate tourism as a driver to diversifying North Country economies
 - Put in place tools to attract private investment which will drive demand to revitalize and diversify communities and create a climate which allows entrepreneurs to flourish.

- Elevate Global Recognition of the region as one of the special places on the planet to visit, live, work and study
 - Create and manage a transformational regional “brand” which powerfully communicates the unique identity and resources of the people, places and products of the North Country region.

The project achieves the goals articulated in the following plans:

- The Village of Saranac Lake Bicycle and Pedestrian Trail Plan (NYSDOS) 2013
- The Village of Saranac Lake Parks Plan (NYSDOS) 2018
- The Saranac Riverwalk 1992
- Saranac Lake Vision Concepts 2007
- Local Waterfront Revitalization Plan - 2004

Anticipated Revitalization Benefits

Short Term: The Active Transportation and Mobility Project will provide substantial improvements to public transportation corridors within Downtown. These improvements have the potential to strengthen the market for adjacent residential and commercial investment.

Medium Term: Supporting active, healthy transportation routes within the downtown that allow visitors and residents to access downtown destinations by foot or bike is aimed at increasing accessibility for residents and visitors Downtown, supporting a stronger consumer base for local retail business.

Long Term: Transformation of the streetscape throughout Downtown into a cohesive neighborhood with its own identity will raise Saranac Lake as a regional destination to live, work and visit strengthening the local Downtown market and attracting new businesses.

Specifically, the Dorsey Street Parking Lot Redesign is located within a Priority Area for Redevelopment and the proposed improvements will catalyze private investments

in the rear facades of buildings along Main Street. The vision of this area is to create a space that transitions from the buildings through the safe, accessible parking lot to the Riverwalk and Saranac River. This combination of public improvements to the parking lot and private improvements to the buildings will be transformational in this location.

The Church Street Streetscape Improvements are also located within a priority area and the streetscape enhancements combined with the planned private improvements at Nori’s, Tops and the new Pendragon Theatre would transform this area into a more pedestrian-friendly corridor, creating a node of activity, culture and basic services.

Completion of the Riverwalk is key to activating the waterfront and connecting businesses and people to the Saranac River. The two proposed segments described below are located in priority areas and the Woodruff Street segment would provide a linkage to the proposed rail trail, which in turn would connect pedestrians to the Depot Street area.

Public Support

The projects included in the Active Transportation and Mobility Project were strongly supported at all public meetings and were discussed at all LPC meetings. This project was also recommended for consideration by the full LPC by the Public Space and Streetscape Working Group.

Jobs Created

There is a possibility of jobs being created from the implementation of the project through the private construction contractors. Long term jobs may be created from the revitalized and expanded business district along Woodruff Street.

Acquisition of Real Property

The majority of the project areas are located within Village owned public right-of-way. The Riverwalk Completion Project is the only project that may require coordination with the property owner adjacent to the proposed path (Parcel 447.69-8-2).

Overall Project Budget and Funding Sources

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Church Street Streetscape Improvements	\$754,816	-	-	\$754,816
		-	-	
Riverwalk Completion	\$904,414	\$150,000*	-	\$754,414
Broadway Main Urban Forestry Project	\$56,843	-	-	\$56,843
Totals:	\$ 2,292,702	\$ 150,000*	-	

* NYSDOS LWRP Grant (Secured)

**Additional public funds that may support the project: CFA, NYS OPRHP, NYSDOT Transportation Alternative Program

Feasibility and Cost Justification

In coordination with on-going public infrastructure (sewer and water) improvements the projects together are feasible and will provide the much-needed surface improvements for critical public rights-of-way in the Downtown. The combined benefit of a cohesive streetscape will spur investment at key locations downtown including the relocation of the Pendragon Theatre, Nori's Market expansion and commercial businesses along Woodruff Street.

Regulatory Requirements

The project will require the approval of the Village of Saranac Lake and the issuance of a building permit. Since the project involves public spaces it will need to meet requirements of the Americans with Disabilities Act. The project will require a Highway Work Permit from NYSDOT for minor work within State ROW. For full street reconstruction and changes to curb alignment, a design approval document will need to be prepared for NYSDOT review and approval. All design documentation would need to meet NYSDOT standards and specifications. Work along the Saranac River below Ordinary High Water or within Waters of the United States will require the project

sponsor to apply for permits with the Army Corps of Engineers and the Adirondack Park Agency. Depending on the alignment of the Riverwalk Trail, coordination with NYSDEC and possibly a permit may be required.

In addition, the project will adhere to the following design standards and guidelines:

- Village of Saranac Lake Complete Streets Policy
- NYS Stormwater Management Design Manual
- AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities
- AASHTO Guide for the Development of Bicycle Facilities
- NACTO Urban Street Design Guide
- NACTO Urban Bikeway Design Guide
- NACTO Urban Street Stormwater Guide
- ITE Designing Walkable Urban Thoroughfares: A Context Sensitive Approach
- Dark Sky Friendly Technology
- Saranac Lake Brand Guidelines

Project Components with Cost Estimates and Images of Current and Proposed Conditions

Church Street Streetscape Improvements

The Church Street Corridor serves as a critical pedestrian and vehicular link between River Street to the south and Bloomingdale Ave to the north. Essential components of the Church Street streetscape improvements include high visibility crosswalks, intersection improvements to Woodruff and Church Street (a priority intersection for the Village), reconstructed concrete sidewalks, pedestrian scale lighting, and landscape enhancements. Landscape improvements will include the installation of street trees along the corridor to create a continuous natural viewshed within the downtown. At the intersection of Woodruff and Church, improvements will include new traffic controls to facilitate safe pedestrian crossings,

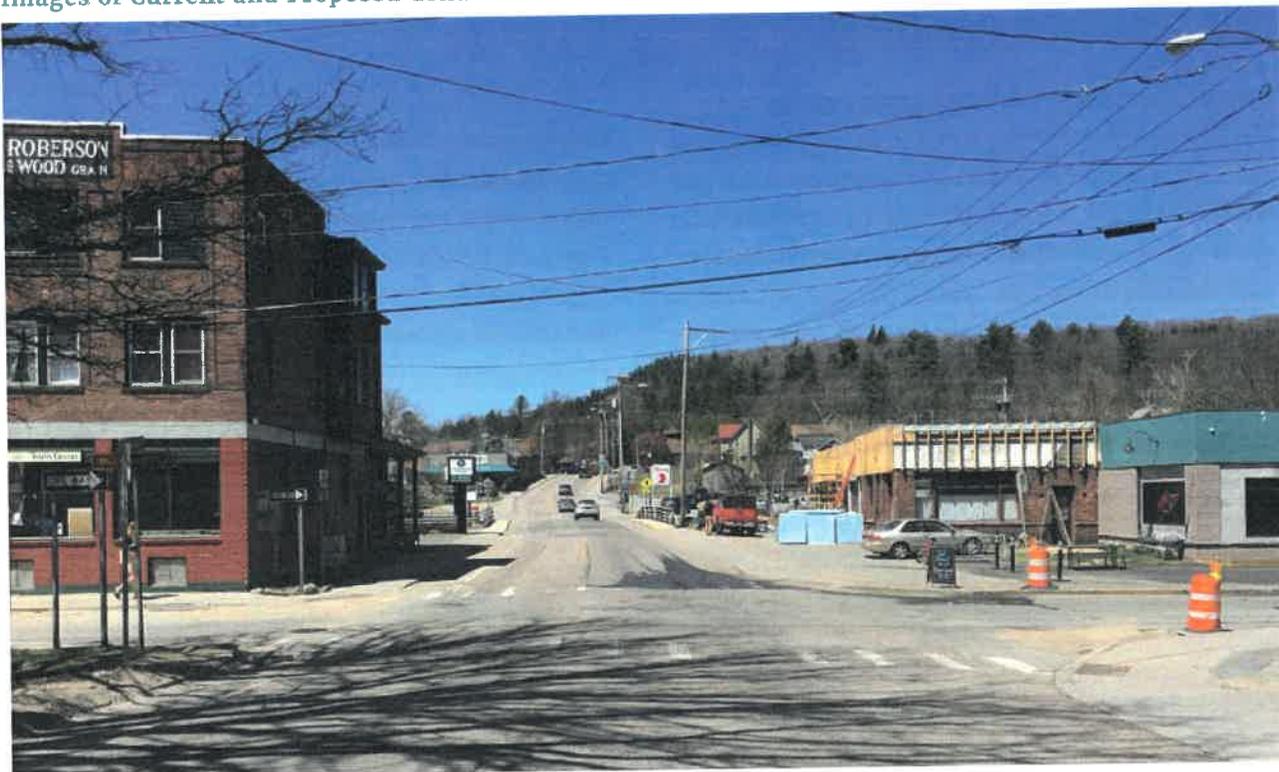
curb extensions (bump-outs) to reduce the pedestrian crossing distances and improve overall visibility. These improvements are expected to transform Church Street from a car-centric corridor into a walkable pedestrian-focused corridor. As a key connector between multiple destinations downtown, pedestrian accessibility, comfort and safety is important. Additionally, an attractive streetscape is not only functional, but can help to spur downtown economic activity.

Church Street Streetscape Cost Estimate*

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$524,178	-	-	\$524,178
Contingency (20%)	\$104,836	-	-	\$104,836
Design & Permitting (15%)	\$78,627	-	-	\$78,627
Construction Oversight & Inspection	\$47,176	-	-	\$47,176
Totals:	\$754,816	-	-	\$754,816

***PROJECT BUDGET NEEDS TO BE REVISED**

Images of Current and Proposed Conditions



Church Street Streetscape Improvements—Existing Condition at Woodruff and Church Street



Church Street Streetscape Improvements—Proposed Condition at Woodruff and Church Street

Dorsey Street Parking Lot Redesign

The existing Dorsey Street Parking Lot currently serves as the primary parking facility for the Downtown. In conjunction with grant opportunities to improve the rear facades of the businesses along Broadway, the parking facility has the potential to serve as a key connector between the scenic Riverwalk and business along Main Street and Broadway. Currently the parking lot has no defined pedestrian connection to the businesses above and no formal parking delineation. Essential elements

of the project include three new landscape islands, sidewalks with raised curbs, bioswales, a bus stop, signage, and an pedestrian walkways connecting the Riverwalk to the rear facades. The project will repave the existing parking facility and delineate pedestrian ways up to the Main St & Broadway business district. Improvements will also include street trees and green infrastructure throughout.

Dorsey Street Parking Lot Cost Estimate

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$400,437	-	-	\$400,437
Contingency (20%)	\$80,087	-	-	\$80,087
Design & Permitting (15%)	\$60,066	-	-	\$60,066
Construction Oversight & Inspection	\$36,039	-	-	\$36,039
Totals:	\$576,629	-	-	\$576,629

Images of Current and Proposed Conditions



Dorsey Street Parking Improvements-Existing Condition



Dorsey Street Parking Improvements-Proposed Condition (conceptual)

Riverwalk Completion

The Saranac Riverwalk is a very important asset within the Village of Saranac Lake. It serves to provide access to the river while also connecting parklands, neighborhoods and the commercial core in a manner that is unique to this Adirondack village. Since its construction in the late 1990s, it has experienced notable use and is cherished by residents and visitors. Completion of the Saranac Riverwalk is important to connect this asset to Main Street and Broadway businesses, and plans have been prepared to extend the Riverwalk beyond its current configuration. Essential

improvements include pedestrian lighting from Tops to Woodruff Street, artwork installations and landscaping within the existing Riverwalk sections and the completion of the two final segments of the Riverwalk at the former Dew Drop Inn and from Tops to Woodruff Street. The completion of these trail segments will allow future connection from the Riverwalk to the proposed Rail Trail running along the northern edge of Downtown.

Riverwalk Completion Cost Estimate*

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$628,065	\$150,000*	-	\$478,065
Contingency (20%)	\$125,613	-	-	\$125,613
Design & Permitting (15%)	\$94,210	-	-	\$94,210
Construction Oversight & Inspection	\$56,526	-	-	\$56,526
Totals:	\$904,414	\$150,000*	-	\$754,414

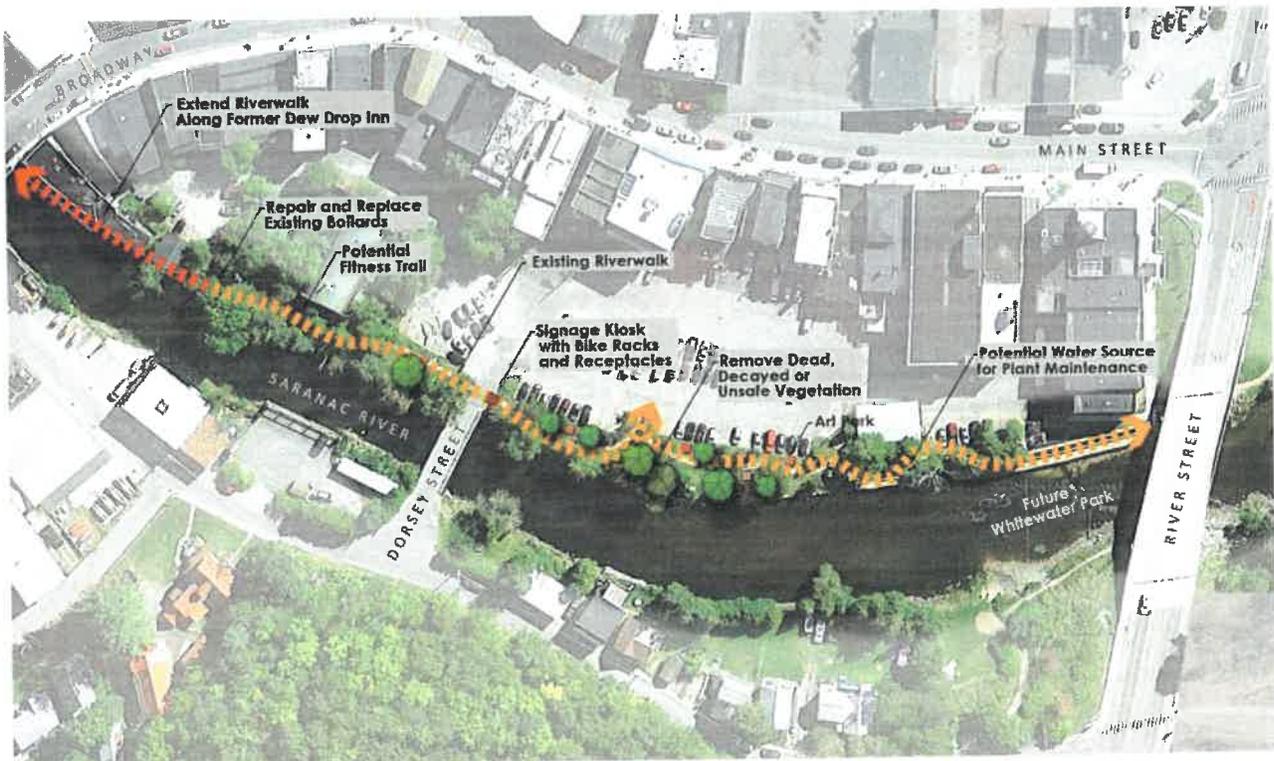
*LWRP Grant (Secured)

***PROJECT BUDGET NEEDS TO BE REVISED**

Images of Current and Proposed Conditions



Riverwalk Completion—Existing Condition



Riverwalk Completion—Proposed Improvements for Existing Riverwalk



Riverwalk Completion—Proposed Improvements for New Riverwalk Connections Tops to Woodruff Street

Broadway and Main Urban Forestry Project

The Broadway and Main corridors serve as the principal retail corridors within the Village of Saranac Lake. Currently the corridors lack presence of resilient street trees. Over the years the trees that have been installed have not thrived due to the absence of root space and nutrients. The tree program will target locations throughout the existing sidewalk corridors that can accommodate new trees. The existing sidewalk will be removed, and new structural soil will be installed below the sidewalk to allow for expanded root growth. The new tree will include a porous tree surround that will provide a maintenance-free traversable surface that allows for water and nutrients to feed the tree. The addition of these trees will create a consistent urban tree canopy in Downtown Saranac Lake.

Broadway and Main Urban Forestry Project Cost Estimate*

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$39,474	-	-	\$39,474
Contingency (20%)	\$7,895	-	-	\$7,895
Design & Permitting (15%)	\$5,921	-	-	\$5,921
Construction Oversight & Inspection	\$3,553	-	-	\$3,553
Totals:	\$56,843	-	-	\$56,843

***PROJECT BUDGET NEEDS TO BE REVISED**

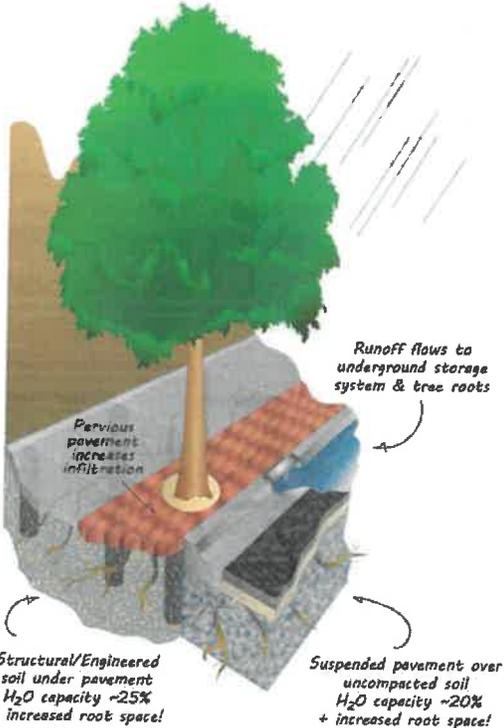
Images of Current and Proposed Conditions



Broadway and Main Urban Forestry Project- Existing Condition



Broadway and Main Urban Forestry Project- Proposed Stormwater Street Trees



Overall Project Timeframe for Implementation and Project Readiness – Active Transportation and Mobility Project

Immediate Steps (0– 3 months)

- Formation of Project Advisory Committee: The primary purpose of the advisory committee is to provide judicious advice, from a citizen perspective, to the village elected policy-making body. The advisory committee shall be composed of members from existing village advisory boards and the DRI LPC.
- Village to assign Project Manager: The village will require a project manager to ensure its goals are implemented during the design construction of the project.

Short-Term Steps (3–12 months):

- Where feasible, the transportation components of the project will utilize a “pilot to permanent” strategy that deploys temporary on-road pavement markings and barriers to test out the proposed geometries. This will allow the Village to build support for the upcoming projects while the final design and engineering take place in the background. This also provides the community with immediate change and opportunities to occupy the new pedestrian space in the Downtown with temporary art installations and events. The design and engineering will be able to respond to the temporary space and ensure that the permanent improvements account for lessons learned while the temporary space is deployed.

Medium-Term Steps (1 – 3 years):

- Village to Secure Design Consultant: The village will require a project manager to ensure its goals are implemented during the construction of the project.
- Complete Design of Project Components
- Village to Secure Design Contractor
- Secure NYSDOT Design Approval and PS&E Approval
- Secure Army Corps and APA permits for work along Saranac River

Long-Term Steps: (3 – 5 years)

- Construction

Project Reporting

This project should be monitored for progress and adherence to the proposed scope, budget and timeline outlined above. This project will work in unison with proposed public improvements to increase activity in the Downtown. Project success can be measured indirectly through:

- Number of Visitors
- Adjacent Property Values
- Increased Retail Business
- Street Tree Vitality

3. Enhance the Woodruff Street Streetscape



Project Title:

Woodruff Street Urban Design and Streetscape Improvement Project

DRI Funding Request:

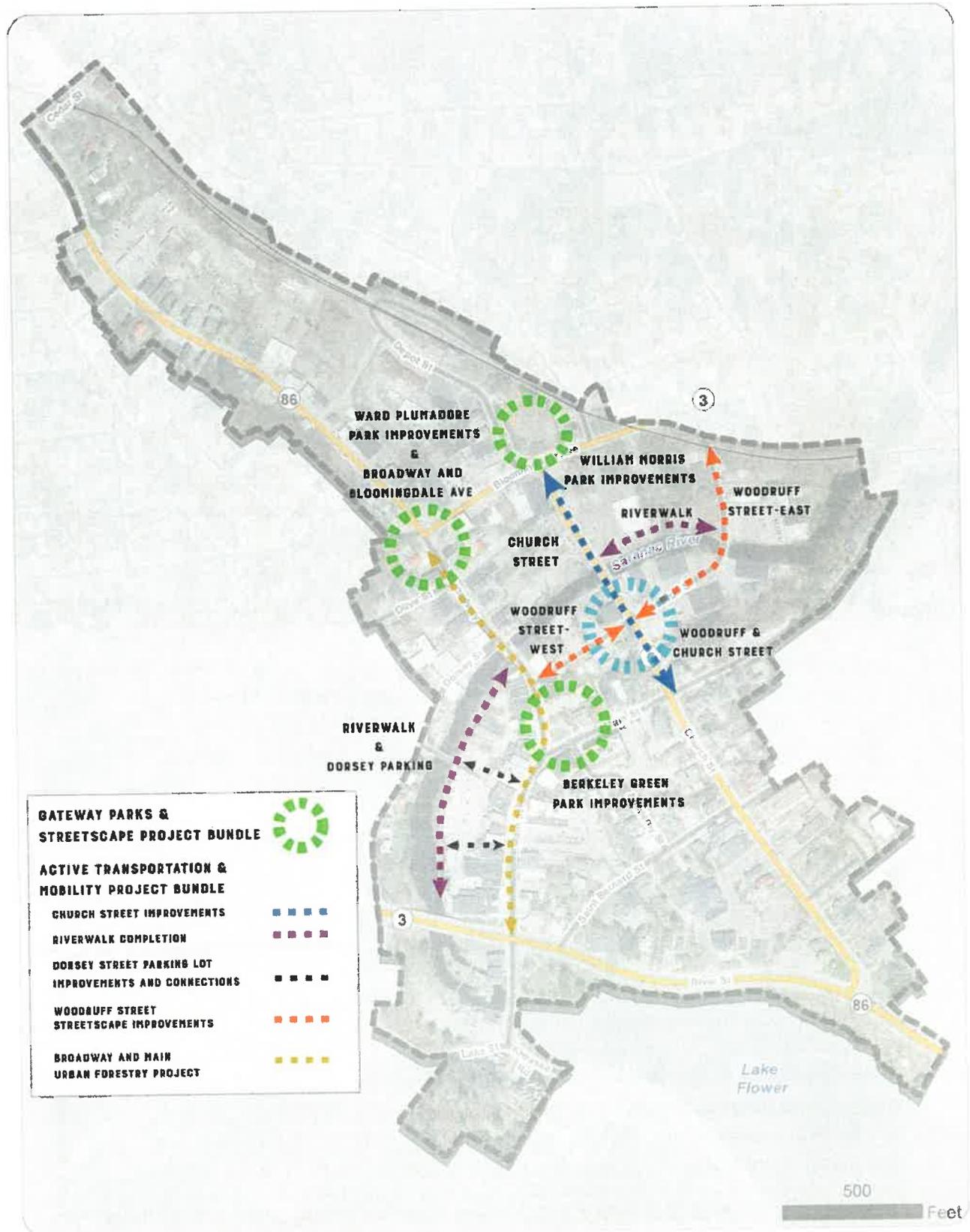
Total DRI Funds: \$1,993,664

Total Project Cost: \$2,568,664

Overall Project Description

The transformation of the Woodruff Street corridor from Broadway to Bloomingdale Ave is an incredible opportunity for the Village of Saranac Lake to expand their Downtown to the east and connect into the future Rail Trail running on the northern edge of Downtown. Within the last five years, the corridor has seen substantial private sector investment with the introduction of Nori's Health Food Store at the corner of Woodruff and Church Street and the potential relocation of the Pendragon Theatre. The Village, along with private investors, seeks to develop the corridor into a retail and cultural destination for the Downtown. This project will facilitate the development and investment into the corridor through the redesign of the streetscape into a walkable destination for the Downtown. Essential improvements include undergrounding overhead utility lines, installing a new two-way cycle track, new sidewalks, on-street parking, high-visibility crosswalks, street trees, pedestrian scale lighting and an attractive visual feature (archway or string lights).

Overall Project Location



Property Owner/Sponsor

Village of Saranac Lake

Capacity

With appropriate funding the Village of Saranac Lake has the capacity to contract for design and implement improvements.

Project Partners

- New York State Department of Transportation- Region 7
- Franklin and Essex County Department of Public Works (Bridge Coordination)
- Private contractor may be selected by the Village to carry out the proposed improvements.
- Private property owners along Woodruff Street where overhead utilities will be placed underground. Coordination and funding will be needed to connect private utilities to public utilities underground.

Strategies

The project aligns with the following Saranac Lake DRI Goals & Strategies:

- **Urban Design** – Capitalize on downtown’s unique and attractive design by enhancing historic architecture and building scale, form, context, a mix of uses, the streetscape, parks and access to the Saranac River.
 - Support placemaking by investing in public streetscapes and parks to promote an attractive, walkable, dynamic downtown.
 - Utilize green infrastructure and green building techniques to create a more sustainable downtown.
- **Connectivity** – Strengthen year-round multi-modal connections between downtown amenities and attractions to surrounding neighborhoods, natural areas and to other communities with high-quality infrastructure.
 - Identify, prioritize and correct accessibility barriers within downtown.

- Ensure that bike and pedestrian routes link and connect neighborhoods, employment centers, amenities and attractions.
- Invest in streetscape improvements that will promote walkability and increase safety for all ages and abilities.
- **Livability** – Enhance and maintain downtown as a complete neighborhood where a range of services, amenities, and housing options provide a desirable lifestyle.
 - Adopt and enforce policies that help improve downtown livability.
- **Destination** – Make downtown a premier regional destination for entertainment, art, culture, shopping and dining for residents, workers and travelers.
 - Support existing signature community events and activities.
 - Expand and enhance waterfront amenities that improve access to and enjoyment of the abundant water resources in downtown, including the Riverwalk and other public parks.

This project aligns with the following North Country REDC Strategies:

- Activate tourism as a driver to diversifying North Country economies
 - Put in place tools to attract private investment which will drive demand to revitalize and diversify communities and create a climate which allows entrepreneurs to flourish.
- Elevate Global Recognition of the region as one of the special places on the planet to visit, live, work and study
 - Create and manage a transformational regional “brand” which powerfully communicates the unique identity and resources of the people, places and products of the North Country region.

The project achieves the goals articulated in the following plans:

- The Village of Saranac Lake Bicycle and Pedestrian Trail Plan (NYS DOS) 2013
- The Village of Saranac Lake Parks Plan (NYS DOS) 2018
- The Saranac Riverwalk 1992
- Saranac Lake Vision Concepts 2007

Anticipated Revitalization Benefits

Short Term: Woodruff Street Urban Design and Streetscape Improvement Project will provide substantial improvements to public transportation corridors within Downtown. These improvements have the potential to strengthen the market for adjacent residential and commercial investment.

Medium Term: Supporting active, healthy transportation routes within the downtown that allow visitors and residents to access downtown destinations by foot or bike is aimed at increasing accessibility for residents and visitors Downtown, supporting a stronger consumer base for local retail business.

Long Term: Transformation of the streetscape along Woodruff into a cohesive neighborhood with its own

identity will raise Saranac Lake as a regional destination to live, work and visit strengthening the local Downtown market and attracting new businesses.

Public Support

Woodruff Street Urban Design and Streetscape Improvement Project is a priority project of the Mayor and Local Planning Committee. It is strongly supported at all public meetings and was discussed at all LPC meetings. This project was also recommended for consideration by the full LPC by the Public Space and Streetscape Working Group.

Jobs Created

There is a possibility of jobs being created from the implementation of the project through the private construction contractors. Long term jobs may be created from the revitalized and expanded business district along Woodruff Street.

Acquisition of Real Property

The entirety of the project area is located within Village owned public right-of-way. Coordination with new development within Segment 2 will be critical for continuity of the overall streetscape vision.

Overall Project Budgets and Funding Sources

Item	Cost	Source		
		Sponsor	Other Contribution	DRI Request
Woodruff Street- Segment 1- Broadway to Church Street	\$2,164,168	\$575,000	-	\$1,589,168
Woodruff Street- Segment 2- Church Street to Bloomingdale Ave	\$404,496	-	-	\$404,496
Totals:	\$ 2,568,664	\$ 575,000	-	\$ 1,993,664

*Additional public funds that may support the project: CFA, NYSDOT Transportation Alternative Program

Feasibility and Cost Justification

In coordination with on-going public infrastructure (sewer and water) improvements the projects together are feasible and will provide the much-needed surface improvements for critical public rights-of-way in the Downtown. The combined benefit of a cohesive streetscape will spur investment at key locations downtown including the relocation of the Pendragon Theatre, Nori's Market expansion and commercial businesses along Woodruff Street.

Regulatory Requirements

The project will require the approval of the Village of Saranac Lake and the issuance of a building permit. Since the project involves public spaces it will need to meet requirements of the Americans with Disabilities Act. The project will require a Highway Work Permit from NYSDOT for minor work within State ROW at Church Street (NYS Route 3). For full street reconstruction and changes to curb alignment, a design approval document will need to be prepared for NYSDOT review and approval. All design documentation would need to meet NYSDOT standards and specifications.

In addition, the project will adhere to the following design standards and guidelines:

- Village of Saranac Lake Complete Streets Policy
- NYS Stormwater Management Design Manual
- AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities
- AASHTO Guide for the Development of Bicycle Facilities
- NACTO Urban Street Design Guide
- NACTO Urban Bikeway Design Guide
- NACTO Urban Street Stormwater Guide
- ITE Designing Walkable Urban Thoroughfares: A Context Sensitive Approach
- Dark Sky Friendly Technology
- Saranac Lake Brand Guidelines

Project Components with Cost Estimates and Images of Current and Proposed Conditions

Woodruff Street West- Project Overview

The essential improvements to Woodruff Street from Broadway to Church Street include a new two-way cycle track and the undergrounding of overhead utilities. Other components of the project include a new ADA compliant sidewalk on the north side of Woodruff Street, reconstructed driveway aprons, on-street parking, a shortened pedestrian crosswalk at Broadway and Woodruff Street and new pedestrian scale lighting. The work will also include new storm and sanitary sewers.

Woodruff Street West- Cost Estimate

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$1,678,589	\$575,000	-	\$1,103,589
Contingency (20%)	\$220,718	-	-	\$220,718
Design & Permitting (15%)	\$165,538	-	-	\$165,538
Construction Oversight & Inspection	\$99,323	-	-	\$99,323
Totals:	\$2,164,168	\$575,000	-	\$1,589,168

Images of Current and Proposed Conditions



Woodruff Street West-Existing Condition



Woodruff Street West-Proposed Plan (conceptual)



Woodruff Street West-Proposed Condition

Woodruff Street East- Project Overview

Woodruff Street East improvements include reducing curb cut widths, expanding pedestrian space at the corner of Woodruff and Church Street, new ADA compliant sidewalks, improved pedestrian connections to businesses, on-street parking, improved driveway aprons and an on-road shared bicycle path to the Riverwalk and future Rail Trail.

Woodruff Street East Cost Estimate

Item	Cost	Source		
		Sponsor	DRI Request	DRI Request
Construction Costs	\$281,245	-	-	\$281,245
Contingency (20%)	\$56,249	-	-	\$56,249
Design & Permitting (15%)	\$42,187	-	-	\$42,187
Construction Oversight & Inspection	\$24,816	-	-	\$24,816
Totals:	\$404,496	-	-	\$404,496

Images of Current and Proposed Conditions



Woodruff Street East-Existing Condition



Woodruff Street East-Proposed Plan (conceptual)

Overall Project Timeframe for Implementation and Project Readiness

Immediate Steps (0 - 3 months)

- Formation of Project Advisory Committee: The primary purpose of the advisory committee is to provide judicious advice, from a citizen perspective, to the village elected policy-making body. The advisory committee shall be composed of members from existing village advisory boards and the DRI LPC.
- Village to assign Project Manager: The village will require a project manager to ensure its goals are implemented during the construction of the project.

Short-Term Steps (3-12 months):

- Design and Construction Documents RFP: Village will release an RFP for Design, Permitting and Engineering of Proposed Improvements.
- Design consultant selection: Village will select and execute a contract with a design consultant to prepare designs, permit applications, and construction documents.
- The design consultant will commence preparation of the design, permitting and construction documents.
- Where feasible, the transportation components of the project will utilize a “pilot to permanent” strategy that deploys temporary on-road pavement markings and barriers to test out the proposed geometries. This will allow the Village to build support for the upcoming projects while the final design and engineering take place in the background. This also provides the community with immediate change and opportunities to occupy the new pedestrian space in the Downtown with temporary art installations and events. The design and engineering will be able to respond to the temporary space and ensure that the permanent improvements account for lessons learned while the temporary space is deployed.

Medium-Term Steps (1 - 3 years):

- Complete Design of Project Components
- Secure NYSDOT Design Approval and PS&E Approval
- Village will bid the project and secure a construction contractor.
- The construction contractor will commence implementation of improvements.

Long-Term Steps (3 - 5 years):

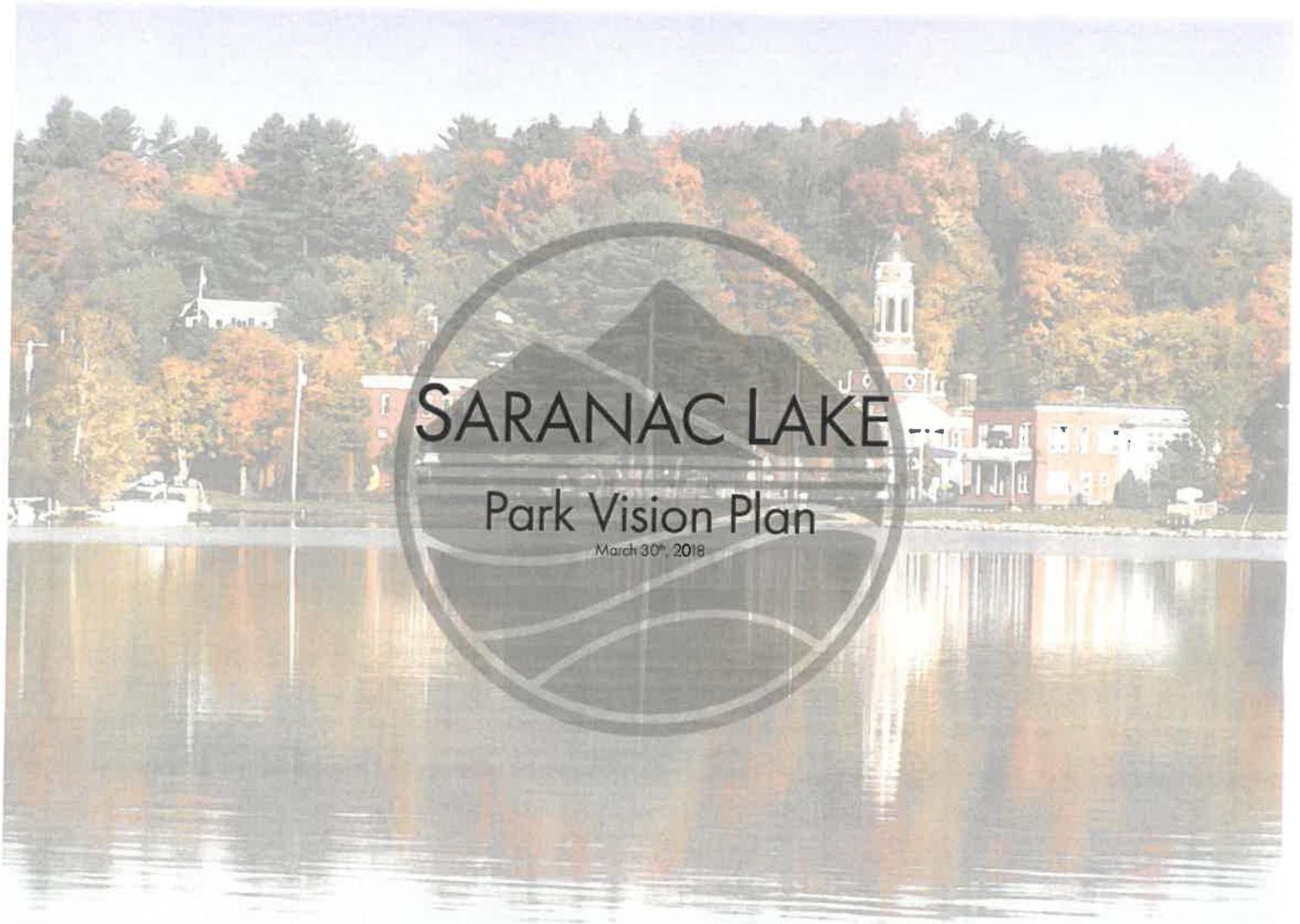
- Construction and implementation

Project Reporting

This project should be monitored for progress and adherence to the proposed scope, budget and timeline outlined above. This project will work in unison with proposed public improvements to increase activity in the Downtown. Project success can be measured indirectly through:

- Number of Visitors
- Adjacent Property Values
- Increased Retail Business
- Street Tree Vitality

Attachment B



This Document was prepared for the New York State Department of State with funds under Title 11 of the Environmental Protection Fund, for the Village of Saranac Lake





BERKELEY GREEN PARK



Department
of State

This Document was prepared for the New York State Department of State with funds under Title 11 of the Environmental Protection Fund, for the Village of Saranac Lake

BERKELEY GREEN PARK | Overview

NAME: Berkeley Green
LOCATION: Downtown at the intersection of Main Street and Broadway
PARK'S PURPOSE: The site serves as an urban hub that hosts music events in the summer and special events year-round

Berkeley Green serves an important role in the downtown core of the Village of Saranac Lake. Its prominent position at the intersection of Main Street and Broadway, along with its visible proximity to many of the Village's primary commercial, retail, and culinary assets establishes this public space as a key aesthetic resource and serves as a functional gathering place. The site provides a small pavilion which houses the Saranac Lake 6er finish line bell. Sidewalks provide access to the site and terraced amphitheater seating provides event seating. The site is well maintained and used by residents and visitors throughout the year.

EXISTING AMENITIES:

The green is used for various music and performance events and provides a pavilion, terraced amphitheater seating, lawn areas, and streetscape amenities including sidewalks, street lights, seating, and waste receptacles. Electrical service is provided.

POTENTIAL ADDITIONAL AMENITIES:

- Festive lighting could be added within the interior of the green.
- Consider a unique sculptural installation that uniquely celebrates the Village.
- The landscape should be improved and better maintained to promote a visually appealing setting. This could be accomplished by removing some of the larger plantings, replacing plants with lower evergreen species and opening views through the site. The site should provide open and spacious views for large public events.
- Consider public bathrooms at the east end of the parking lot, including a retaining wall and appropriate connection to the adjacent pocket park.
- Provide modest and/or non-interfering features for children including portable games.
- Consider adding additional programmed events like outdoor movies, recreational and cultural activities.
- Add water fountain, pet waste station, and benches along Main Street and Broadway.

CURRENT MAINTENANCE TOPICS:

- Landscape enhancements could improve the aesthetic appeal of the park.
- Screen the electrical transformers.

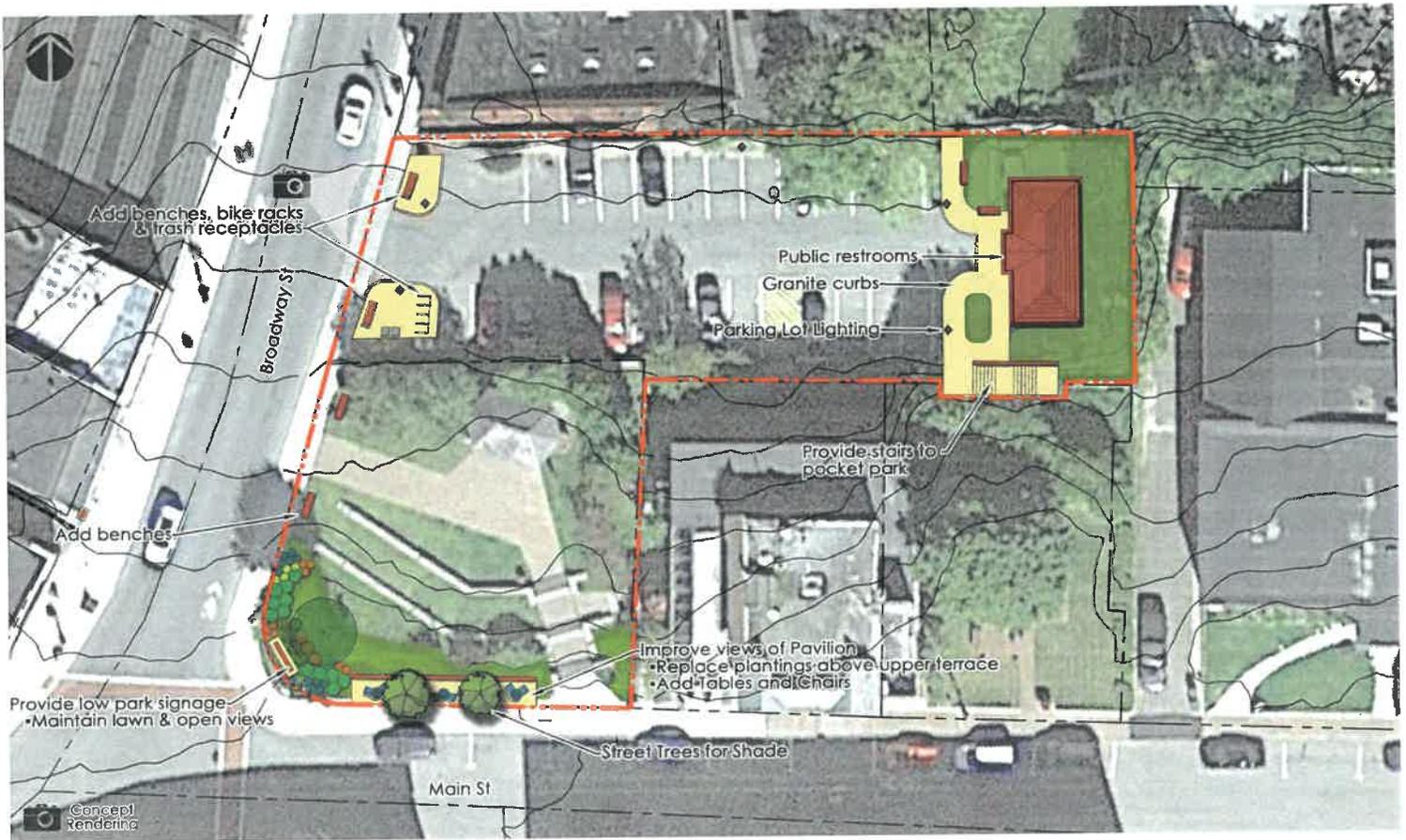
BERKELEY GREEN PARK | Priority Projects

- Provide a public bathroom at the east end of the parking lot including an integrated replacement of the existing retaining wall, new stairs to the Pocket Park and lighting.
- Improve the entrance of the parking area by removing a few spaces and implementing small plaza/islands for a bike rack, waste and recycle containers and a pet waste station.
- Improve the small plaza along Main Street with new paving, benches and/or fixed tables and chairs. Improve the landscape plantings along Main Street to provide open views of the pavilion and to promote safety along the park edges. Consider replacing the evergreen shrubs with shade trees and tree grates to expand the plaza area.
- Remove large shrubs in the upper terrace of the amphitheater and replace with lawn to improve event seating and to open views.
- Improve overall landscape maintenance.
- Improve walkway connections to the adjacent business on the east side of the green.
- Provide benches on the sidewalk along Broadway.
- Low park signage to maintain views into park.

BERKELEY GREEN PARK | Existing Conditions



BERKELEY GREEN PARK | Concept Plan

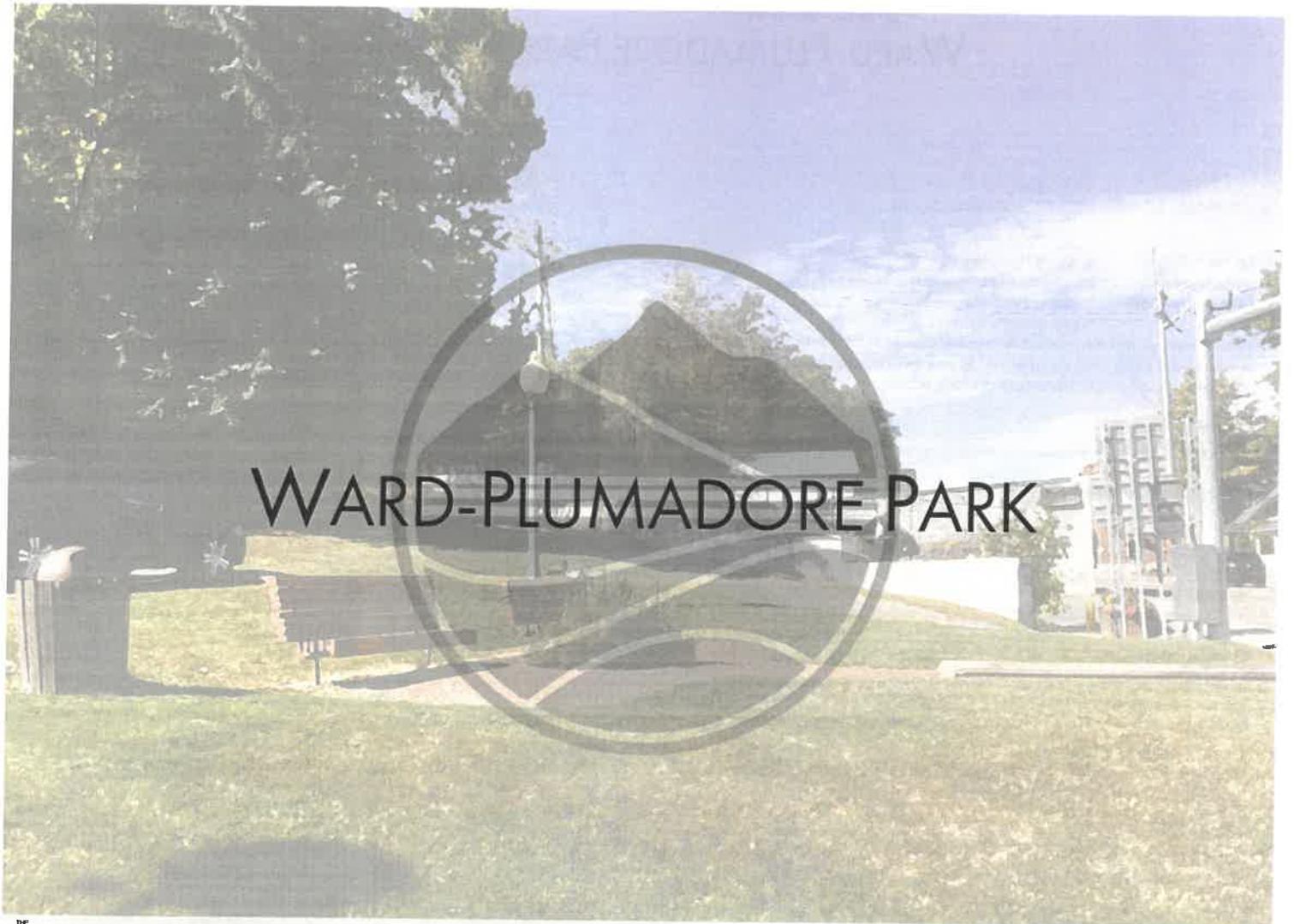


BERKELEY GREEN PARK | Concept Rendering



BERKELEY GREEN PARK | Preliminary Opinion of Probable Cost

ITEM	UNITS	QUANTITY	COST PER UNIT	TOTAL
Proposed Structures				
1,250 SF New Public Restroom (Allowance)	LS	1	\$ 250,000.00	\$250,000
			Proposed Structures Subtotal	\$250,000
Signage & Wayfinding				
Entrance Sign	EA	1	\$ 2,500.00	\$2,500
Parking Sign	EA	1	\$ 350.00	\$350
			Signage & Wayfinding Subtotal	\$2,850
Site Preparation				
Remove Asphalt at Parking Area Ends	SF	2,600	\$ 3.00	\$7,800
Remove Plantings at Upper Terrace	LS	1	\$ 1,200.00	\$1,200
			Site Preparation Subtotal	\$9,000
Site Improvements				
Proposed parking Lot Entry Bump outs	LS	1	\$ 15,000.00	\$15,000
Proposed Concrete Bathroom Entry (4" W/ 5" Subbase)	SF	800	\$ 10.00	\$8,000
Proposed Concrete Stairs to Pocket Park	LS	1	\$ 30,000.00	\$30,000
Improve Plaza at Upper Terrace	LS	1	\$ 15,000.00	\$15,000
Granite Curbs	LF	125	\$ 65.00	\$8,125
			Site Improvements Subtotal	\$76,125
Plantings & Landscaping				
Trees (3" Caliper)	EA	4	\$ 750.00	\$3,000
Shrub & Perennial Beds	SF	750	\$ 15.00	\$11,250
			Plantings & Landscaping Subtotal	\$14,250
Site Accessories				
Benches	EA	6	\$ 1,800.00	\$10,800
Bicycle Racks	EA	1	\$ 1,200.00	\$1,200
Trash Receptacles	EA	2	\$ 1,000.00	\$2,000
			Site Accessories Subtotal	\$14,000
Erosion and Sediment Control Measures				
Silt Fence & Inlet Protection (1-2% of Total Cost)	LS	1	\$ 8,000.00	\$8,000
			Erosion and Sediment Control Measures Subtotal	\$8,000
Cost Estimate Subtotal (rounded)				\$374,000
20% Contingency				\$74,800
15% Design & Permitting				\$56,100
Total Preliminary Estimate of Cost				\$505,000



WARD-PLUMADORE PARK



**Department
of State**

This Document was prepared for the New York State Department of State with funds under Title 11 of the Environmental Protection Fund, for the Village of Saranac Lake

WARD-PLUMADORE PARK | Overview

NAME: Ward-Plumadore Park
LOCATION: Intersection of Bloomingdale Avenue and Broadway.
PARK'S PURPOSE: Two park benches.

Ward-Plumadore Park is a small 0.3-acre parcel located at a central intersection in the Village of Saranac Lake. Due to its lack of facilities, it is used very little as a park space. However, given its notable and highly visible location it could be better designed to serve as a community gateway feature. The park connects with a utility easement and former Terrace Street R.O.W. that could be improved as a trail for improved Village access.

EXISTING AMENITIES:

Two park benches, lawn area, minimal landscaping and a retaining wall with stairs.

POTENTIAL ADDITIONAL AMENITIES:

- A new vision is needed for this park that will capitalize on this prominent location. The topography should be utilized to create a unique landscape setting.
- The Terrace Street R.O.W. should be considered as a potential trail route.
- Consider introducing tables and chairs to bring people into park.
- Install local art/sculpture to enhance park.
- Consider potential public/private partnerships and uses that compliment Bitters & Bones.

CURRENT MAINTENANCE TOPICS:

- The mural on adjacent parking lot wall needs to be repaired. Maintenance could be funded by a "Generous Act" grant.

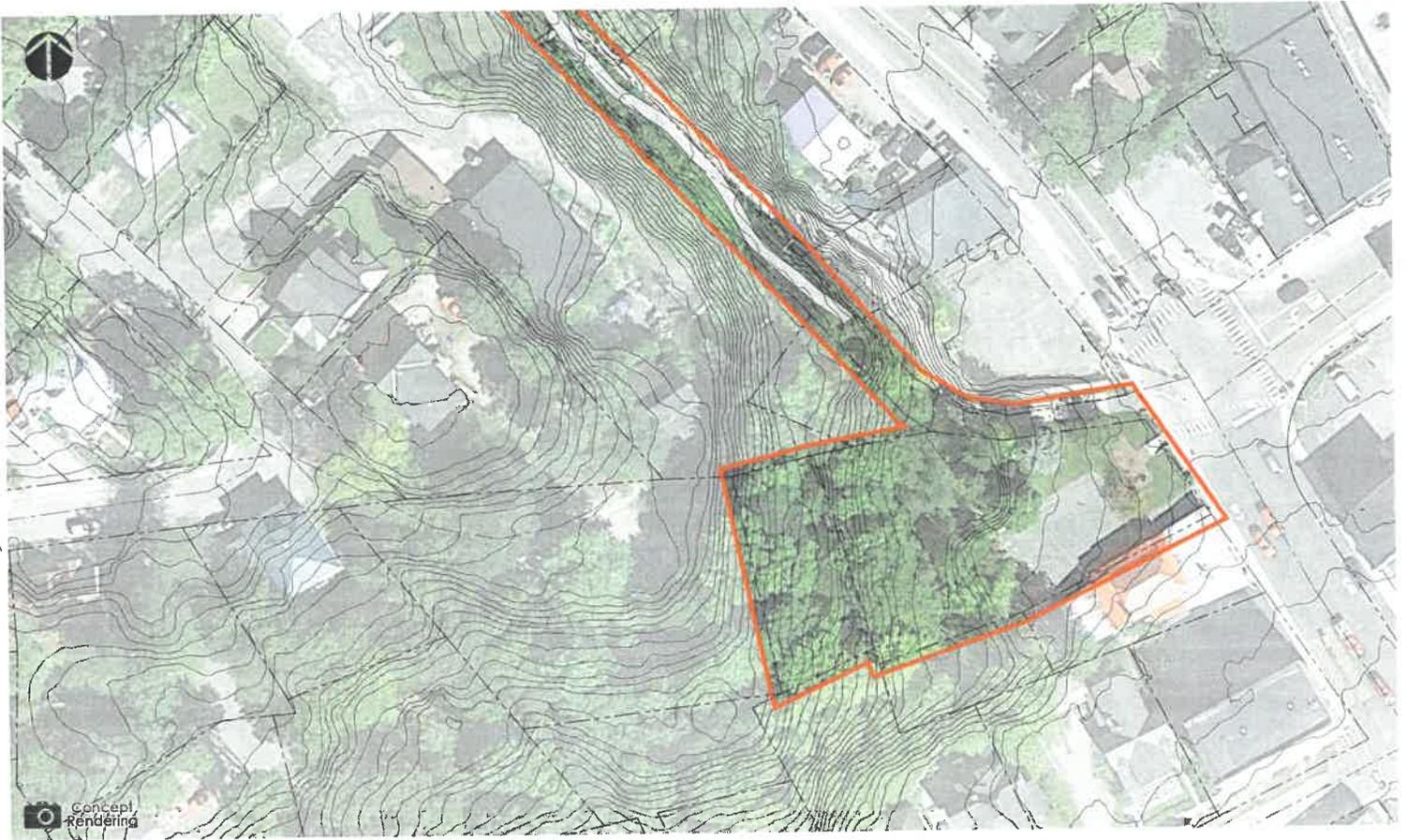
POTENTIAL USE CONFLICTS:

- There are no known use issues.

WARD-PLUMADORE PARK | Priority Projects

- Develop a plan that utilizes this highly visible park and create an art installation, access, and terraced seating areas.
- Explore seating opportunities with Bitters & Bones.
- Provide a pedestrian connection that utilizes the Terrace Street R.O.W. and topography.
- Better maintain the mural wall and the landscape vegetation. (Remove trees and weeds)

WARD-PLUMADORE PARK | Existing Conditions

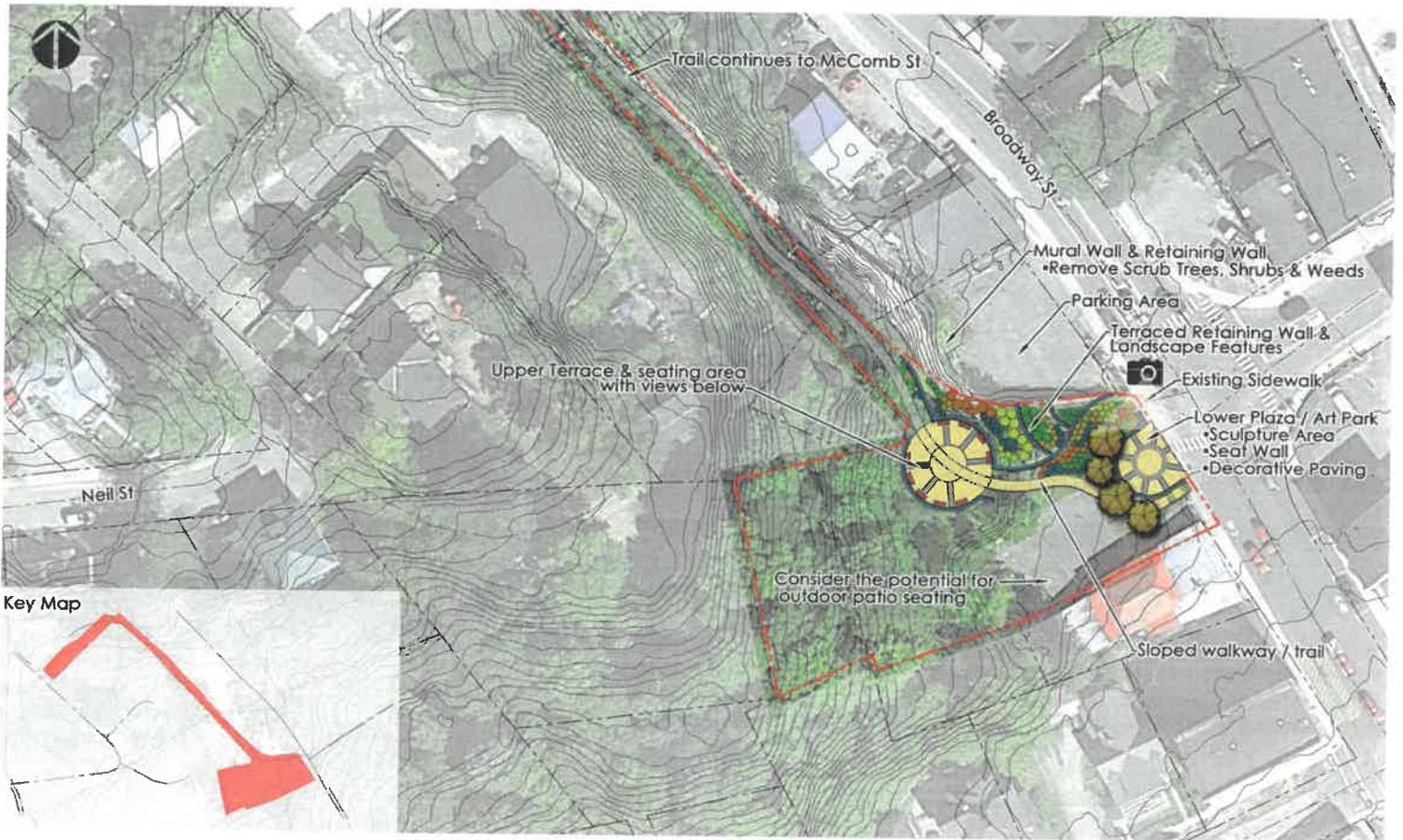


Concept
Rendering



This Document was prepared for the New York State Department of State with funds under Title 11 of the Environmental Protection Fund, for the Village of Saranac Lake

WARD-PLUMADORE PARK | Concept Plan

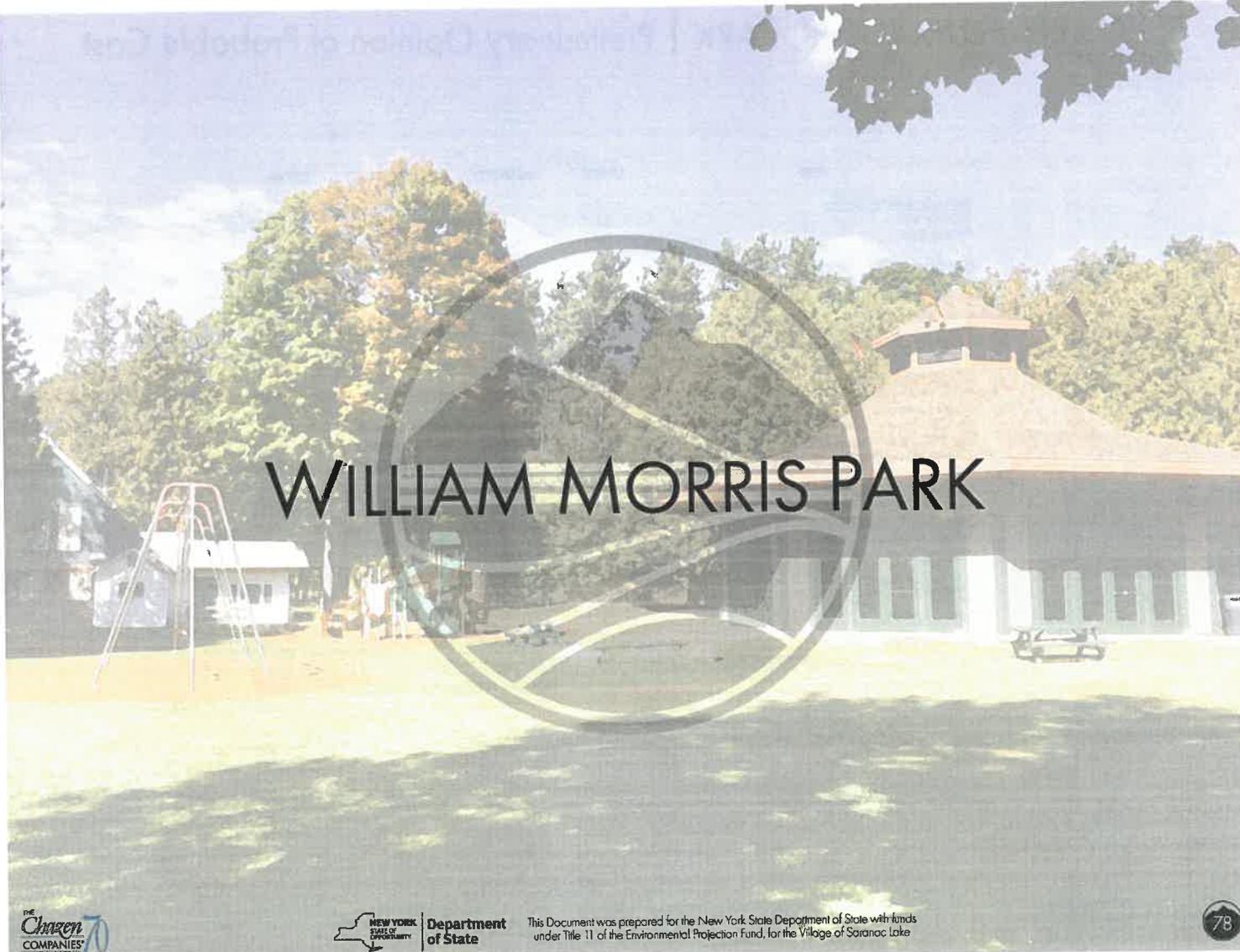


WARD-PLUMADORE PARK | Concept Rendering



WARD-PLUMADORE PARK | Preliminary Opinion of Probable Cost

ITEM	UNITS	QUANTITY	COST PER UNIT	TOTAL
<u>Signage & Wayfinding</u>				
Entrance Sign	EA	1	\$ 2,500.00	\$2,500
Parking Sign	EA	1	\$ 350.00	\$350
				Signage & Wayfinding Subtotal
				\$2,500
<u>Site Preparation</u>				
Tree Removal	EA	3	\$ 500.00	\$1,500
Removal of Existing Hardscape and Structures	LS	1	\$ 35,000.00	\$35,000
Grading and Earthwork	LS	1	\$ 80,000.00	\$80,000
Trail Clearing And Grubbing	SF	3,550	\$ 2.50	\$8,875
Trail General Earthwork / Subbase Preparation	SF	3,550	\$ 3.00	\$10,650
				Site Preparation Subtotal
				\$116,025
<u>Site Improvements</u>				
Proposed Concrete Sidewalks (4" W/ 5" Subbase)	SF	650	\$ 10.00	\$6,500
Decorative Paving Lower Terrace (4" W/ 5" Subbase)	SF	850	\$ 20.00	\$17,000
Decorative Paving Upper Terrace (4" W/ 5" Subbase)	SF	1,650	\$ 20.00	\$33,000
Seat Walls Both Terraces (250 LF)	LS	1	\$ 65,000.00	\$65,000
Terrace Walls (140 LF)	LS	1	\$ 25,000.00	\$25,000
Trail (700 LF Stone Dust)	SF	3,500	\$ 8.00	\$28,000
Art Installation	LS	1	TBD	TBD
				Site Improvements Subtotal
				\$174,500
<u>Plantings & Landscaping</u>				
Trees (3" Caliper)	EA	6	\$ 750.00	\$4,500
Proposed Landscape Beautification-Shrubs & Perennials	SF	1,500	\$ 15.00	\$22,500
				Plantings & Landscaping Subtotal
				\$27,000
<u>Site Accessories</u>				
Benches	EA	2	\$ 1,800.00	\$3,600
Trash Receptacles	EA	1	\$ 1,000.00	\$1,000
				Site Accessories Subtotal
				\$4,600
<u>Erosion and Sediment Control Measures</u>				
Silt Fence & Inlet Protection (1-2% of Total Cost)	LS	1	\$ 6,000.00	\$6,000
				Erosion and Sediment Control Measures Subtotal
				\$6,000
Cost Estimate Subtotal (rounded)				\$331,000
20% Contingency				\$66,200
15% Design & Permitting				\$47,995
Total Preliminary Estimate of Cost				\$445,000



WILLIAM MORRIS PARK



Department
of State

This Document was prepared for the New York State Department of State with funds under Title 11 of the Environmental Protection Fund, for the Village of Saranac Lake

WILLIAM MORRIS PARK | Overview

NAME: William Morris Park
LOCATION: Corner of Depot Street and Bloomingdale Avenue.
PARK'S PURPOSE: The Park is centered around the Adirondack Carousel, but is primarily a young children's park with a modern playground set and outdoor play areas.

William Morris Park is a multi-purpose recreational facility in the Village of Saranac Lake and serves as a hub of activity for local families and visitors. The Adirondack Carousel is in the main structure in the park, and serves as a tourist destination showcasing hand carved animals and original artwork. The site is used by patrons of all age groups but is primarily utilized for children's activities.

EXISTING AMENITIES:

The Adirondack Carousel, playground equipment, bathrooms, walkways and lawn are provided in this park. It is universally accessible and provides internet access. A prominent pavilion stands at the main entrance to this park and provides an iconic architectural feature that is reflective of this Adirondack village.

POTENTIAL ADDITIONAL AMENITIES:

- Enhance and maintain the existing play equipment.
- Provide more playground equipment, benches and picnic tables. Additional play equipment could include climbing equipment for up to 30 children, springing ADK animals, swings, slides, and musical play equipment. Other potential play features include interpretive wayfinding/play features, boulders and natural play features, water-play, and low semi-enclosed spaces.
- There is a desire to enhance and beautify the main entrance to this park and improve carousel visibility. This may be accomplished by replacing and relocating the fence near the entrance kiosk. Other eye-catching features could include representative "carved" carousel animal sculptures behind the pavilion.
- Shaded seating/pergola
- Lighting could be provided.

CURRENT MAINTENANCE TOPICS:

- The park is in very good and well-maintained condition.

POTENTIAL USE CONFLICTS:

- There are no known use conflicts at this park

WILLIAM MORRIS PARK | Priority Projects

- Improve the park entrance walkway at the intersection by adding a new entrance plaza, new walkways, decorative fencing, benches and native buffer plantings. Landscape improvements may require the removal of an evergreen tree. The final landscape plan should address the highly visible roadway signage and electric lines.
- Provide additional play features and universally accessible play equipment.
- Maintain open lawn area for flexible play.
- Remove the existing building in the northwest corner of the park.
- Provide a bike rack, seating, waste and recycle containers and a pet waste station.
- Provide park signage

WILLIAM MORRIS PARK | Existing Conditions



WILLIAM MORRIS PARK | Concept Plan



WILLIAM MORRIS PARK | Concept Rendering



Department
of State

This Document was prepared for the New York State Department of State with funds under Title 11 of the Environmental Protection Fund, for the Village of Saranac Lake

WILLIAM MORRIS PARK | Preliminary Opinion of Probable Cost

ITEM	UNITS	QUANTITY	COST PER UNIT	TOTAL
<u>Proposed Structure Changes</u>				
Paint Pavilion	LS	1	\$ 3,000.00	\$3,000
			Proposed Structures Subtotal	\$3,000
<u>Signage & Wayfinding</u>				
Entrance Sign	EA	1	\$ 2,500.00	\$2,500
			Signage & Wayfinding Subtotal	\$2,500
<u>Site Preparation</u>				
Remove Existing Walk (Road side)	LS	1	\$ 3,000.00	\$3,000
Remove Existing Fence (Road side)	LS	1	\$ 2,500.00	\$2,500
			Site Preparation Subtotal	\$5,500
<u>Site Improvements</u>				
Decorative Fence with Masonry Stone Columns	LF	200	\$ 90.00	\$18,000
Concrete walk	SF	1,500	\$ 10.00	\$15,000
Proposed Carousel Animal Sculptures	EA	4	-	TBD
Proposed Carousel Animal Sculptures Concrete Pads	EA	4	\$ 2,000.00	\$8,000
New Play Equipment	LS	1	\$ 20,000.00	\$20,000
			Site Improvements Subtotal	\$61,000
<u>Plantings & Landscaping</u>				
Shrub & Perennial Beds	SF	600	\$ 15.00	\$9,000
Trees (3" Caliper)	EA	6	\$ 750.00	\$4,500
			Plantings & Landscaping Subtotal	\$13,500
<u>Site Accessories</u>				
Benches	EA	6	\$ 1,800.00	\$10,800
Trash Receptacles	EA	2	\$ 1,000.00	\$2,000
			Site Accessories Subtotal	\$12,800
<u>Erosion and Sediment Control Measures</u>				
Silt Fence & Inlet Protection (1-2% of Total Cost)	LS	1	\$ 2,000.00	\$2,000
			Erosion and Sediment Control Measures Subtotal	\$2,000
Cost Estimate Subtotal (rounded)				\$100,000
20% Contingency				\$20,000
15% Design & Permitting				\$15,000
Total Preliminary Estimate of Cost				\$135,000



This Document was prepared for the New York State Department of State with funds under Title 11 of the Environmental Protection Fund, for the Village of Saranac Lake

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Authorize Meeting & Voucher Schedule Date: 7-27-2020

DEPT OF ORIGIN: Mayor Rabideau Bill # 76-2020

DATE SUBMITTED: _____ EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE REQUIRED \$	AMOUNT BUDGETED: \$	APPROPRIATION REQUIRED
----------------------------	------------------------	---------------------------

Authorize meeting and voucher schedule

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU _____

TRUSTEE SHAPIRO _____

TRUSTEE CATILLAZ _____

TRUSTEE LITTLE _____

TRUSTEE MURPHY _____

**NOTICE OF REGULAR MEETINGS
VILLAGE OF SARANAC LAKE BOARD OF TRUSTEES
2020-2021**

Please be advised that at the July 27, 2020 Meeting of the Board of Trustees of the Village of Saranac Lake, it was determined by such Board that the Regular Meetings of the Board of Trustees will be held on the 2nd second and 4th fourth Mondays of each month, unless such a date is a legal holiday, in which event, the Meeting will be held on the next business day. The dates of these Meetings are listed below:

2020

August 10, 2020
August 24, 2020

September 14, 2020
September 28, 2020

October 13, 2020 (Tuesday because of the Holiday)
October 26, 2020

November 9, 2020
November 23, 2020

December 14, 2020
December 28, 2020

2021

January 11, 2021
January 25, 2021

February 8, 2021
February 22, 2021

March 8, 2021
March 22, 2021

During the COVID 19 reopening phase, meetings will be limited to 50 people in the **Harrietstown Auditorium, 39 Main Street, Saranac Lake, New York** whenever possible they will also be broadcast through ZOOM or as a webex meeting. Social distancing rules and the wearing of a mask is mandatory. Details will be posted on the agenda on the website www.saranaclakeny.gov. All open sessions of the meetings will begin at **5:30 pm**. Executive Sessions will be scheduled, either before a regular meeting or at the end of a regular meeting.

In advising you of this schedule, we are complying with Article 7 of the General Municipal Law relating to open meetings. If you wish to receive notice of Special meetings please advise and furnish us with the name, address, email address and phone number of the person to be notified. Notice of the meetings will, in accordance with Section 94 of the Public Officers Law, be given to the extent practicable at a reasonable time prior thereto.

Karen Tyler, Village Clerk 518-891-4150 ext 202 clerk@saranaclakeny.gov

Temporary Voucher Schedule until annual meeting

2020-2021 MONTHLY SCHEDULE FOR AUDITING VOUCHERS:

April 2020	Mayor Rabideau
May 2020	Trustee Catillaz
June 2020	Trustee Shapiro
July 2020	Trustee Little
August 2020	Mayor Rabideau
September 2020	Trustee Catillaz

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Recording of Village Board Meetings Date: 7-27-2020

DEPT OF ORIGIN: Trustee Murphy

Bill # 77-2020

DATE SUBMITTED: _____

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED \$

AMOUNT
BUDGETED: \$

APPROPRIATION
REQUIRED

The Saranac Lake Village Board shall make every effort to livestream regular, special and worksessions of the board and post how residents can view the sessions in accordance with the NYS Open Meeting Law, and if a livestream is unable to work under the circumstances, that the meeting in question will get recorded and posted on the village's website for future viewing.

MOVED BY: _____ SECONDED BY: _____

VOTE ON ROLL CALL:

MAYOR RABIDEAU

TRUSTEE SHAPIRO

TRUSTEE CATILLAZ

TRUSTEE LITTLE

TRUSTEE MURPHY

Whereas, the Saranac Lake Village Board of Trustees is committed to an open and transparent democratic process,

Therefore it is resolved that the Saranac Lake Village Board shall make every effort to livestream regular, special, and working sessions of the board and post how residents can view the sessions in accordance with the NYS Open Meeting Law, and if a livestream is unable to work under the circumstances, that the meeting in question will get recorded and posted on the village's website for future viewing.



Capital of the Adirondacks™

Village of Saranac Lake 39 Main Street, 2nd Floor Suite 9 • Saranac Lake, NY 12983-2294 • Phone: (518) 891-4150 • www.saranadakeny.gov

Memorandum

To: Saranac Lake Village Board
Fr: John M. Sweeney, Village Manager
Re: Executive Order 203 – New York State Police Reform and Intervention Collaboration

Attached please find initial correspondence for creation and implementation agenda to accomplish NYS Executive order 203 “with the intent to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement and foster trust”.

Although at the time of this memo two organizations have not responded to our requests, we will maintain these groups on our initial review committee.

Agenda

Currently we are reaching out to the members to identify the method (ie. Either virtual or in-person) we will use to engage with all members of the review committee. For our initial review, we anticipate that there will be small groups along with individual who will be remote. Meetings will be recorded and provided to the Village Clerk as public record.

Beginning the week of August 3 the review committee will begin to meet weekly to distribute all information to the review committee, including:

- Executive Order 203,
- Village Summary of responsibilities,
- Definition of directives, policies and summary of what the review group’s responsibilities are

The committee will then review policies and to create recommendation as a result of its review .

Initiatives taken so far: Engagement with Lexipol (www.Lexipol.com) for policies update for Police Procedures – this includes continual training for staff. Diversity Training with our Legal Counsel as well as NYMIR (Online), the villages insurance provider.

The review group must create a plan, which shall be offered for public comments to all citizens of the Village of Saranac Lake; The Village of Saranac Lake shall ratify and file such plan no later than April 1, 2021 to the Director of the Divisions of Budget.

Executive Order 203

New York State Police Reform and Intervention Collaboration

Introduction:

Governor Cuomo has directed that each governmental entity which has an operating police agency as defined by 1.20 of the criminal procedure law must perform a comprehensive review of the current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

Committee formation:

The local Governments shall establish and convene stakeholders of the community with high police interaction (interested non-profit or faith groups, Office of the District Attorney, local Public Defender, local elected leader) and head of the Police Agency.

Responsibility of the Committee:

The committee shall create a plan to adopt and implement the recommendations resulting from its review and consultation , including any modifications, modernizations, and innovations to its policing deployments, strategies, polices , procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based upon trust, fairness, accountability and transparency which seek to reduce any racial disparities in policing.

The Committee Shall Develop a Plan to consider the following directives:

1. The Plan must consider:
2. Evidence-based policing strategies (definition.1)
3. Use of force policies (review of policy)
4. Procedural justice (article)
5. Any studies addressing systemic racial bias or racial justice in policing
6. Implicit bias awareness training (RWG&M LLC training)
7. De-escalation training and practices
8. Law enforcement assisted diversion programs (definition.2)
9. Restorative justice practices (definition.3)
10. Community-based outreach and conflict resolution
11. Problem-oriented policing (definition.4)
12. Hot spots policing(definition.5)
13. Focused deterrence(definition.6)
14. Crime prevention through environmental design(definition.7)
15. Violence prevention and reduction intervention(definition.8)
16. Model policies and guidelines promulgated by NYS Municipal Police Training Council and standards promulgated by NYS Law Enforcement Accreditation Program
<https://www.criminaljustice.ny.gov/training.htm> .
17. Provide Report to community for review

The Plan Shall be adopted:

The Plan shall be adopted by local law or resolution no later than April 1, 2021.

Team Members and Affiliations

- 1. Melinda Little, Village of Saranac Lake Village Board Member and Point Positive**
- 2. Sarah Clarkin, Harriestown Housing Authority**
- 3. Ernest Hough, Lakeside House LLC and Samaritan House**
- 4. TBD, Adirondack Diversity Initiative**
- 5. David Hayes, Franklin County District Attorney Office**
- 6. TBD, PUBLIC DEFENDER**
- 7. Larry Harris, VOA Adirondack Apartments**
- 8. Patty Sauvie, previously Citizen's Advocates North Star Behavioral Health**
- 9. Chief James Joyce, Village of Saranac Lake Police Chief**
- 10. John M. Sweeney, Village of Saranac Lake Village Manager**



No. 203

EXECUTIVE ORDER

NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE

WHEREAS, the Constitution of the State of New York obliges the Governor to take care that the laws of New York are faithfully executed; and

WHEREAS, I have solemnly sworn, pursuant to Article 13, Section 1 of the Constitution, to support the Constitution and faithfully discharge the duties of the Office of Governor; and

WHEREAS, beginning on May 25, 2020, following the police-involved death of George Floyd in Minnesota, protests have taken place daily throughout the nation and in communities across New York State in response to police-involved deaths and racially-biased law enforcement to demand change, action, and accountability; and

WHEREAS, there is a long and painful history in New York State of discrimination and mistreatment of black and African-American citizens dating back to the arrival of the first enslaved Africans in America; and

WHEREAS, this recent history includes a number of incidents involving the police that have resulted in the deaths of unarmed civilians, predominantly black and African-American men, that have undermined the public's confidence and trust in our system of law enforcement and criminal justice, and such condition is ongoing and urgently needs to be rectified; and

WHEREAS, these deaths in New York State include those of Anthony Baez, Amadou Diallo, Ousmane Zango, Sean Bell, Ramarley Graham, Patrick Dorismond, Akai Gurley, and Eric Garner, amongst others, and, in other states, include Oscar Grant, Trayvon Martin, Michael Brown, Tamir Rice, Laquan McDonald, Walter Scott, Freddie Gray, Philando Castile, Antwon Rose Jr., Ahmaud Arbery, Breonna Taylor, and George Floyd, amongst others,

WHEREAS, these needless deaths have led me to sign into law the Say Their Name Agenda which reforms aspects of policing in New York State; and

WHEREAS, government has a responsibility to ensure that all of its citizens are treated equally, fairly, and justly before the law; and

WHEREAS, recent outpouring of protests and demonstrations which have been manifested in every area of the state have illustrated the depth and breadth of the concern; and

WHEREAS, black lives matter; and

WHEREAS, the foregoing compels me to conclude that urgent and immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices, and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement, and foster trust; and

WHEREAS, the Division of the Budget is empowered to determine the appropriate use of funds in furtherance of the state laws and New York State Constitution; and

WHEREAS, in coordination with the resources of the Division of Criminal Justice Services, the Division of the Budget can increase the effectiveness of the criminal justice system by ensuring that the local police agencies within the state have been actively engaged with stakeholders in the local community and have locally-approved plans for the strategies, policies and procedures of local police agencies; and

NOW, THEREFORE, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and the Laws of the State of New York, in particular Article IV, section one, I do hereby order and direct as follows:

The director of the Division of the Budget, in consultation with the Division of Criminal Justice Services, shall promulgate guidance to be sent to all local governments directing that:

Each local government entity which has a police agency operating with police officers as defined under 1.20 of the criminal procedure law must perform a comprehensive review of current police force deployments, strategies, policies, procedures, and practices, and develop a plan to improve such deployments, strategies, policies, procedures, and practices, for the purposes of addressing the particular needs of the communities served by such police agency and promote community engagement to foster trust, fairness, and legitimacy, and to address any racial bias and disproportionate policing of communities of color.

Each chief executive of such local government shall convene the head of the local police agency, and stakeholders in the community to develop such plan, which shall consider evidence-based policing strategies, including but not limited to, use of force policies, procedural justice; any studies addressing systemic racial bias or racial justice in policing; implicit bias awareness training; de-escalation training and practices; law enforcement assisted diversion programs; restorative justice practices; community-based outreach and conflict resolution; problem-oriented policing; hot spots policing; focused deterrence; crime prevention through environmental design; violence prevention and reduction interventions; model policies and guidelines promulgated by the New York State Municipal Police Training Council; and standards promulgated by the New York State Law Enforcement Accreditation Program.

The political subdivision, in coordination with its police agency, must consult with stakeholders, including but not limited to membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials, and create a plan to adopt and implement the recommendations resulting from its review and consultation, including any modifications, modernizations, and innovations to its policing deployments, strategies, policies, procedures, and practices, tailored to the specific needs of the community and general promotion of improved police agency and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing.

Such plan shall be offered for public comment to all citizens in the locality, and after consideration of such comments, shall be presented to the local legislative body in such political subdivision, which shall ratify or adopt such plan by local law or resolution, as appropriate, no later than April 1, 2021; and

Such local government shall transmit a certification to the Director of the Division of the Budget to affirm that such process has been complied with and such local law or resolution has been adopted; and

The Director of the Division of the Budget shall be authorized to condition receipt of future appropriated state or federal funds upon filing of such certification for which such local government would otherwise be eligible; and

The Director is authorized to seek the support and assistance of any state agency in order to effectuate these purposes.



GIVEN under my hand and the Privy Seal of the
State in the City of Albany this
twelfth day of June in the year two
thousand twenty.

BY THE GOVERNOR


Secretary to the Governor



Definitions of terms contained in E.O. 203

Evidence based policing: 1

Therefore, police officials must shift their attention to the science of controlling crime and disorder. That model is called evidence-based policing, and it represents the field's "most powerful force for change,"^[1] according to criminologist Lawrence Sherman.

In his seminal work on the topic, Sherman defines evidence-based policing as "the use of the best available research on the outcomes of police work to implement guidelines and evaluate agencies, units and officers."^[2] Evaluation of ongoing police operations is important because it can link research-based strategies to improved public safety outcomes, allowing police agencies to move beyond a reactive, response-driven approach and get smarter about crime control.^[3]

Source: <https://nli.ojp.gov/topics/articles/be/ins-smart-crime-evidence-based-policing>

Law Enforcement Assisted Diversion (LEAD): 2

WHAT IS LEAD?

The Law Enforcement Assisted Diversion (LEAD) program is a community-based police



diversion approach to addressing those involved in the criminal justice system because of addiction, mental illness, and poverty. In LEAD, police officers exercise discretionary authority at point of contact to divert individuals to a community-based, harm reduction intervention for law violations driven by unmet behavioral health needs. In lieu of the

normal criminal justice system cycle -- booking, detention, prosecution, conviction, incarceration -- individuals are instead referred into a trauma-informed intensive case-management program where the individual receives a wide range of support services, often including transitional and permanent housing and/or drug treatment.

Source: <https://www.albanyny.gov/Government/Departments/PoliceDepartment/LEAD.aspx>

Restorative Justice: 3

Restorative justice views crime as more than breaking the law – it also causes harm to people, relationships, and the community. So a just response must address those harms as well as the wrongdoing. If the parties are willing, the best way to do this is to help them meet to discuss those harms and how to about bring resolution. Other approaches are available if they are unable or unwilling to meet. Sometimes those meetings lead to transformational changes in their lives.

Notice three big ideas: (1) repair: crime causes harm and justice requires repairing that harm; (2) encounter: the best way to determine how to do that is to have the parties decide together; and (3) transformation: this can cause fundamental changes in people, relationships and communities.

A more formal definition is this: Restorative Justice is a theory of justice that emphasizes repairing the harm caused by criminal behavior. It is best accomplished through cooperative processes that allow all willing stakeholders to meet, although other approaches are available when that is impossible. This can lead to transformation of people, relationships and communities.

Source: <http://restorativejustice.org/restorative-justice/about-restorative-justice/tutorial-intro-to-restorative-justice/lesson-1-what-is-restorative-justice/#sthash.TyXairPR.dpbs>

Problem Oriented Policing (POP) 4

Practice Goals

Problem-oriented policing (POP) is an analytic method used by police to develop strategies that prevent and reduce crime. Under the POP model, police agencies are expected to systematically analyze the problems of a community, search for effective solutions to the problems, and evaluate the impact of their efforts (National Research Council 2004). POP represents police-led efforts to change the underlying conditions at hot spots that lead to recurring crime problems. It also requires police to look past traditional strategies and consider other possible approaches for addressing crime and disorder (Weisburd and Eck 2004). Today, it is one of the most widely used strategies among progressive law enforcement agencies (Weisburd et al. 2010).

Practice Theory

The POP approach was first advanced by Herman Goldstein (1979), who argued that the standard model of policing (which is primarily reactive and incident driven) should be replaced with a more proactive approach to identifying and targeting problems that contribute to crime, disorder, and other community issues. Eck and Spelman (1987) later developed a framework for implementing POP through the use of the SARA (for Scanning, Analysis, Response, and Assessment) model, which is discussed below. SARA is just one of numerous potential methodologies for implementing POP in practice.

Source: <https://www.crimesolutions.gov/PracticeDetails.aspx?ID=32>

Hot Spots Policing: 5

Practice Goals

Used by a majority of U.S. police departments, hot spots policing strategies focus on small geographic areas or places, usually in urban settings, where crime is concentrated (Braga et al. 2012). Although there is not a common definition for "hot spots," they are generally thought of as "small places in which the occurrence of crime is so frequent that it is highly predictable, at least over a one year period." (Sherman 1995, pg. 36). Through hot spots policing strategies, law enforcement agencies can focus limited resources in areas where crime is most likely to occur. The appeal of focusing limited resources on a small number of high-activity crime areas is based on the belief that if crime can be prevented at these hot spots, then total crime across the city might also be reduced.

Source: <https://www.crimesolutions.gov/PracticeDetails.aspx?ID=8>

Focused deterrence: , 6

Focused deterrence strategies (also referred to as "pulling levers" policing) are problem-oriented policing strategies that follow the core principles of deterrence theory. The strategies target specific criminal behavior committed by a small number of chronic offenders who are vulnerable to sanctions and punishment. Offenders are directly confronted and informed that continued criminal behavior will not be tolerated. Targeted offenders are also told how the criminal justice system (such as the police and prosecutors) will respond to continued criminal behavior; mainly that all potential sanctions, or levers, will be applied. The deterrence-based message is reinforced through crackdowns on offenders, or groups of offenders (such as gang members), who continue to commit crimes despite the warning. In addition to deterring violent behavior, the strategies also reward compliance and nonviolent behavior among targeted offenders by providing positive incentives, such as access to social services and job opportunities.

Source: <https://www.crimesolutions.gov/PracticeDetails.aspx?ID=11>

Crime prevention through environmental design: , 7

Crime Prevention Through Environmental Design (CPTED) is a multi-disciplinary approach of crime prevention that uses urban and architectural design and the management of built and natural environments. CPTED strategies aim to reduce victimization, deter offender decisions that precede criminal acts, and build a sense of community among inhabitants so they can gain territorial control of areas, reduce crime, and minimize fear of crime. CPTED is pronounced 'sep-ted' and it is also known around the world as Designing Out Crime, defensible space, and other similar terms.

Source: <https://www.cpted.net/>

Violence prevention and reduction interventions: , 6

In the context of overcrowded prisons that have been shown to be ineffective at reducing reoffending, policy makers face increasingly pressing questions about what works to reduce crime. Homicide and serious assault make up a relatively small proportion of all crime, yet they account for a disproportionate amount of the overall social, psychological and financial costs of

crime. Violent crime is thus costly for individuals, governments and other public bodies and agencies involved in the prevention, prosecution and treatment of offending.

There is evidence that violent crime is a tractable problem. A previous RAND Europe report on *Interventions to reduce anti-social behaviour and crime* highlighted the effectiveness and cost-benefit of early interventions for preventing crime and offending. These findings hold true for violent crime as well. This report focuses on the potential for interventions at three main stages in the offending process: risk assessment, rehabilitation and management of violent offenders. There is much evidence about what works in rehabilitative measures for reducing reoffending such as cognitive behavioural therapies and multisystemic therapies. However, there is also evidence of effective and promising practice in communities with high rates of violent crime. The multifaceted nature of crime and violence requires similarly multifaceted multi-agency interventions that involve community residents in helping to resolve the problem of violence.

Source: https://www.rand.org/pubs/technical_reports/TR530.html

Applying Procedural Justice Theory to Law Enforcement's Response to Persons With Mental Illness

Amy C. Watson, Ph.D.

Beth Angell, Ph.D., M.S.S.W.

Procedural justice provides a framework for considering how persons with mental illness experience interactions with the police and how officer behaviors may shape cooperation or resistance. The procedural justice perspective holds that the fairness with which people are treated in an encounter with authority figures (such as the police) influences whether they cooperate or resist authority. Key components of a procedural justice framework include participation (having a voice), which involves having the opportunity to present one's own side of the dispute and be heard by the decision maker; dignity, which includes being treated with respect and politeness and having one's rights acknowledged; and trust that the authority is concerned with one's welfare. Procedural justice has its greatest impact early in the encounter, suggesting that how officers initially approach someone is extremely important. Persons with mental illness may be particularly attentive to how they are treated by police. According to this framework, people who are uncertain about their status (such as members of stigmatized groups) will respond most strongly to the fairness by which police exercise their authority. This article reviews the literature on police response to persons with mental illness. Procedural justice theory as it has been applied to mental health and justice system contexts is examined. Its application to encounters between police and persons with mental illness is discussed. Implications and cautions for efforts to improve police response to persons with mental illness and future research also are examined. (*Psychiatric Services* 58:787-793, 2007)

The police have historically played a pivotal role in responding to persons with mental illness in the community, particularly in poorer neighborhoods (1). With the movement of persons with mental illness out of hospitals and into the community, the frequency of contact between police officers and persons with mental illness, in crisis or otherwise, has increased significantly, with departments reporting

that, on average, 10% of their contacts with the public involve persons with mental illness (2). In these situations, police officers become the gatekeepers of the criminal justice and mental health systems (3), and their responses have important implications in terms of whether individuals receive treatment, remain in their current situation, or face the problems inherent in a criminal justice system that is ill prepared to meet

their needs (4). The manner in which officers approach these situations may also determine whether the person cooperates (5) and whether a crisis escalates to violence or is resolved without force or injury (6).

Police officers report that contacts with persons with mental illness are problematic and that the mental health system is often less than helpful in resolving such encounters (7,8). Many officers have also indicated that they do not feel adequately trained or that they would like additional training in responding to persons with mental illness (6,8).

Efforts to improve police officers' abilities to respond to persons with mental illness are being initiated in jurisdictions across the country. These efforts include crisis intervention teams and educational programs presented during academy and in-service training (4). Many of these efforts have incorporated the perspectives of multiple stakeholders into planning and implementing interventions. In addition, national and state efforts are under way to establish expert consensus on essential elements of specialized police-based programs, such as crisis intervention teams (9). Although these efforts may not be programs in search of a theory, they would nonetheless benefit from a well-developed and explicit theoretical understanding of interactions between police officers and persons with mental illness. This knowledge may help isolate the truly essential components of effective police response that can be disseminated alone or as components of more extensive programs, such as crisis in-

Dr. Watson is affiliated with the Jane Addams College of Social Work, University of Illinois at Chicago, 1040 W. Harrison, MC309, Chicago, IL 60607 (e-mail: acwatson@gmail.com). Dr. Angell is with the School of Social Service Administration, University of Chicago.

tervention teams. Theory can also guide research on the effectiveness of these efforts and identify conditions that may influence outcomes for officers, persons with mental illness, law enforcement organizations, and communities.

Research on the interactions of persons with mental illness with other parts of the justice system—for example, mental health courts and civil commitment proceedings—provides a useful point of departure. Applying procedural justice theory, these studies have found that when individuals evaluate a legal interaction as being high in procedural justice, they report feeling less coerced and are more likely to cooperate with authorities (10). Procedural justice and perceived coercion are likely to influence experiences and outcomes in street-level interactions between police officers and persons with mental illness. In this article, we briefly review the literature on encounters between the police and persons with mental illness. We then discuss procedural justice theory and apply this lens to encounters between police and persons with mental illness. We conclude with a discussion of the implications for police training and future research.

Police handling of persons with mental illness

Although they vary in method and measures, a number of studies published over the past 25 years suggest that both situational and officer characteristics play a role in determining police officers' response to persons with mental illness. These studies suggest that police are more likely to arrest individuals with mental illness when there is evidence of a crime, when the individual has a criminal history (11), when they feel that the individual would be inadmissible to a hospital or other caretaking systems, when public encounters exceed the community's tolerance for deviant behavior, and when it is likely that the person will continue to cause a problem (12). Also, less experienced officers are more likely than more experienced officers to arrest persons with mental illness. Officers are least likely to take formal action when there is no evidence of a crime and the person

is homeless. More experienced officers are the most likely to take no action, informal or formal (11).

Several recent surveys of police officers have examined attitudes about and perceptions of persons with mental illness. These studies found that officers do not strongly endorse negative attitudes about mental illness (6,8,13). However, they suggest that officer and organizational factors influence officers' perceptions of persons with mental illness. Younger, white, and less trained officers tend to perceive more danger, whereas officers from departments with a community policing orientation and those with more prior contact with persons with mental illness have more positive perceptions (14).

A common theme reported in these surveys is that officers do not feel qualified or adequately trained to handle calls involving persons with mental illness (6,8). Perhaps this lack of adequate training explains Ruiz and Miller's (6) finding that a significant minority of officers believed that it is best to handle mental health calls quickly. As the authors suggested, responding quickly can unnecessarily escalate a situation. They also found that injuries to officers and persons with mental illness were more likely when two or more officers were dispatched to the call. They suggested that forcing compliance is more easily accomplished when several officers are present, whereas lone officers may take more time in order to resolve the situation without force or injury.

Cumulatively, this body of literature suggests that individual, situational, and organizational factors influence how officers perceive persons with mental illness and how they choose to resolve contacts on the street. What these studies do not shed light on is the way in which officers initially approach and interact with persons with mental illness and how this approach influences how the interaction proceeds and the extent to which the person cooperates. As noted in a recent report by the Technical Assistance and Policy Analysis Center for Jail Diversion, it may be the first few seconds of an interaction between a police officer

and person with mental illness that determines whether it is going to be a productive or a problematic situation (15). Consistent with Ruiz and Miller's (6) findings, if the first few seconds are rushed to force compliance, the interaction may quickly escalate to violence. If officers use those first few seconds to talk to the person and use verbal de-escalation skills, the interaction may be more likely to be resolved without resorting to force.

Unfortunately, interactions between police and persons with mental illness occasionally become violent confrontations. Research indicates a majority of individuals who assault police officers are under the influence of drugs or alcohol or have a psychiatric disorder (16). Unfortunately, the methodologies of such studies make it difficult to tease apart the unique contribution of mental illness to the phenomenon of assault against police officers, in that studies that examine "impairment" tend to use a combined measure (under the influence of drugs or alcohol or having a mental illness). For example, Kaminski and colleagues (17) found that individuals identified by officers as impaired by mental illness made up slightly over 13% of the impaired group. As in prior studies, they used a combined measure of impairment for the analysis of looking at impairment and police injury; thus it is not possible to determine the relative contribution of mental illness. Other research has found that when a person with mental illness is the assailant, the officer is more likely to be injured (18). Ruiz and Miller (6) suggested that several conditions may make these situations particularly volatile. These include the understandable fear on the part of persons with mental illness to put themselves in the hands of unfamiliar police officers, fear of the formal uniform, and the overpowering approach and fear on the part of police officers of persons with mental illness. As indicated above, the presence of several officers may also increase the likelihood of injury resulting from the use of force.

Across the country, law enforcement agencies are attempting to im-

prove their response to persons with mental illness. Whereas some are simply supplementing existing training with a few additional hours on mental health issues, many are implementing one of three types of specialized responses: police-based police response, which involves specially trained police officers; police-based mental health response, which involves mental health clinicians working as civilian employees of the police department; and mental health-based mental health response, which involves partnerships with mobile mental health teams that are part of a community mental health center (7). In two studies examining the three specialized responses, crisis intervention teams, which are a police-based response, compared most favorably in terms of lower arrest rates and greater officer-perceived effectiveness (7,19).

Developed by the Memphis Police Department, the crisis intervention team model involves specially trained officers who provide first-line response to calls involving a person with mental illness and who act as liaisons to the mental health system (7). Whereas jurisdictions adapt the model to their local situations, the model maintains several essential elements believed to enhance police response—training, partnerships with mental health resources in the community, and a redefined approach to responding to mental health calls that includes changes in police officer roles and organizational priorities (4). A growing body of data supports the model's effectiveness for reducing officer and citizen injuries and arrests and increasing transports and referrals to mental health services (20).

Procedural justice and interactions with authority

Procedural justice provides a framework for considering how persons with mental illness experience interactions with the police and how officer behaviors may shape cooperation or resistance. We suggest that these processes may in part underlie the emerging success of crisis intervention team programs. In the context of a procedural justice framework, the focus is on the subjective experience

of the process of the interaction with an authority (such as "The officer treated me fairly") rather than satisfaction with the outcome (such as "The officer should not have arrested me"). Key antecedents of procedural justice judgments include participation (having a voice), which involves having the opportunity to present one's own side of the dispute and be heard by the decision maker; dignity, which includes being treated with respect and politeness and having one's rights acknowledged by the decision maker; and trust that the authority is concerned with one's welfare (21).

Lind and Tyler (21) have proposed the group-value model of procedural justice, which suggests that people want to be treated fairly by authorities, independent of the outcome of the interaction. Fair treatment by an authority, operationalized here in terms of voice, dignity, and trust, directly shapes procedural justice judgments and signifies that the individual is a valued member of the group. This in turn facilitates cooperation by strengthening a person's ties to the social order (22).

According to this framework, people vary in terms of the degree to which they focus on procedural fairness. People who are of high status in the group are secure about their status and need not focus on how they are treated to affirm their identity. It is those who are uncertain about their status (such as members of stigmatized groups or those experiencing events that may demean their status) who will respond most strongly to the fairness by which police exercise their authority (21). Their treatment by police signifies their social status, self-worth, and self-respect (23). How police officers treat them may further marginalize them or support their identity as a member of the community.

In applying this framework to encounters between police and citizens, the "group" is the community or society. The authority is the police officer and the legal system he or she represents. Thus, according to the group engagement model, fair and respectful treatment by a police officer would signal that the individual is a valued member of the community

and that it is safe to engage cooperatively and defer to the officer's authority and follow community rules. Assuming the process does not become disrespectful and demoralizing, this engagement and voluntary cooperation may continue beyond the immediate contact to subsequent interactions with the justice system (and other systems).

Portions of the group engagement model have been supported in studies of encounters between the police and citizens. Tyler and colleagues (22–25) have found that when people perceive the police as exercising their authority with fair procedures, they evaluate the police as more legitimate and, in turn, are more likely to accept and voluntarily comply with an officer's decisions. Findings from a study of recidivism among spouse batterers indicate that perceptions of procedural justice and fair treatment by the police decreased the likelihood of subsequent spousal assaults (26), suggesting that how officers treat citizens has both an immediate and long-term effect (23).

Several studies have also found that disrespectful behavior on the part of police officers reduces the likelihood of citizen cooperation (27,28). Using street encounter data collected in 1996 and 1997 from the Project on Policing Neighborhoods, McCluskey (5) examined how procedurally just and coercive tactics used by police officers influenced citizen cooperation with officers' requests for self-control. Police behaviors consistent with procedural justice (respect and allowing the person a voice) enhanced compliance, whereas police disrespect and coercive tactics (threats or force) reduced citizen compliance. Procedural justice had its greatest impact early in the encounter, suggesting that how officers initially approach someone is extremely important. Unfortunately, as Ruiz and Miller suggested (6), officers may encounter persons with mental illness and be primed to forcefully manage what they perceive to be an extremely dangerous situation and inadvertently make compliance less likely.

Although McCluskey (5) did not focus his investigation on police contacts with persons with mental ill-

ness, he did examine the effect of the presence of irrationality—defined as strong emotion, mental illness, or drug or alcohol use—on citizen compliance. Contrary to his initial predictions, “irrational” citizens were more likely than rational citizens to be pushed to rebellion by disrespect and more likely to be coaxed into compliance by fair and respectful treatment. Perhaps “irrational” citizens are more insecure about their status and thus are more attentive to procedural fairness.

Writing about court-ordered psychiatric treatment, Tyler (29) suggested that enhancing perceptions of procedural justice would be “likely to facilitate the subsequent therapeutic process.” Syderman and colleagues (30) suggested that the benefits of fair treatment in civil commitment hearings include greater trust in the mental health and legal systems and enhanced self-worth and self-respect. This, in turn, may facilitate involvement in treatment and long-term adherence. Personal accounts from persons with mental illness about treatment coercion and commitment hearings also suggest that voice, dignity, and trust are important to self-worth and quality of life (30).

Several studies have established that persons committed for involuntary treatment are sensitive to procedural aspects of the hearing process (31), and some have found that this sensitivity is not related to the presence of psychosis (32). Cascardi and colleagues (32) further found that in commitment hearings, features consistent with procedural justice were related to more positive attitudes about participation in treatment. More recent examinations of similar processes among individuals who are court-ordered into treatment in the community suggest that perceptions of procedural fairness are negatively associated with perceptions of coercion (33).

Findings from the Broward County Mental Health Court Evaluation support the procedural justice model for persons with mental illness in criminal justice proceedings (10). Participants involved in the mental health court, which incorporated procedural adaptations in its effort to reduce stig-

ma and contribute to the therapeutic process, scored higher on perceived procedural justice than participants with mental illness in the traditional court. Higher perceived procedural justice—in particular, having a voice, feeling treated as a person, and fairness—was associated with a more positive emotional impact of the hearing and greater satisfaction with the court outcome.

Clearly, aspects of procedural justice are important to citizens’ experiences of and responses to encounters with authorities such as the police. Procedural justice may be particularly important to the experience of persons with mental illness, who, as part of an already stigmatized group, may pay close attention to how they are treated and be more likely to cooperate when treated with dignity and respect. As de facto gatekeepers to both the mental health and criminal justice systems, the police, in response to a person with mental illness, play a pivotal role in determining the dynamics of the interaction, the extent to which the person cooperates, the resulting outcome, and perhaps the person’s willingness to cooperate with both systems in the future.

Coercion

Closely related to perceptions of procedural justice but conceptually distinct are perceptions of coercion. The MacArthur Foundation Research Network on Mental Health and the Law has systematically examined patients’ subjective experience of the hospitalization process and identified key features of coercion (34). These features include perceptions of the amount of influence, control, choice, and freedom in the admission process (35). Studies conducted by the network suggest that perceptions of being treated with more procedural justice (fairly, respectfully, and with dignity) are associated with feeling less coerced in the hospital admission process among both voluntary and involuntary patients (36), although the temporal direction of the relationship is not clear.

Negative pressures from others, such as threats and the use of force to obtain hospital admission, increase perceptions of coercion, whereas pos-

itive pressures in the form of persuasion and inducements do not (37). In these studies, perceptions of coercion do not appear to be related to personality and symptom characteristics (38). Patients’ accounts of the admission procedure tend to be consistent with those of family members and admitting clinicians and remain stable over time (35,39).

With the greater emphasis on mandated treatment in the community in recent years, members of the MacArthur Research Network on Mandated Community Treatment and others have begun to examine perceived coercion related to various types of leverage (legal and informal) used to promote adherence to community treatment (33,40–42). This body of work suggests that individuals mandated to treatment in the community feel less coerced than those mandated to inpatient treatment but more coerced than non-mandated outpatients (33). Among persons on outpatient commitment orders, perceived coercion has been found to negatively impact quality of life (41).

It is likely that perceptions of coercion are also closely related to perceptions of procedural justice in police contacts with persons with mental illness. Police have various types of coercive power to maintain control over a situation. These range from suggestions to overt threats to physical force. Greater force may generate situations in which citizens are more likely to comply or may encourage resistance (43). When approaching persons with mental illness who are in crisis, authorities’ displays of force intended to gain control may instead escalate a situation to violence (6). As discussed above, officers who treat a person with mental illness with respect and dignity and avoid coercive force may be more successful in gaining compliance (5) and resolving a situation safely (6).

It may appear that perceived procedural justice and perceived coercion are simply two ends of the same continuum. At the experience level, they may be felt as such. However, they are conceptually distinct. One might imagine situations in which an individual perceives neither coercion

nor procedurally just treatment, in which they were not negatively pressured, yet not treated respectfully.

Implications

Many educational and training programs have focused on what officers should know and think about mental illness. Some, such as training in crisis intervention teams, also place significant emphasis on skills, procedural changes, and community linkages. We discuss these below. Although enhancing knowledge and improving attitudes are important goals, the effectiveness of these programs in terms of changing officer behavior and outcomes on the street is not known. The content of these programs is often determined by task forces comprising representatives from law enforcement, mental health, and consumer and advocacy groups. Although input from various sectors is critical to developing an effective and practical program, these efforts would benefit from an explicit and empirically supported theoretical framework to guide them.

Procedural justice theory provides clear direction for efforts to improve police response to persons with mental illness. The group engagement model points to specific and, as McCluskey (5) demonstrated, measurable behaviors that may improve officers' abilities to obtain cooperation and more effectively and safely manage encounters with persons with mental illness. These behaviors include treating persons with politeness, dignity, and respect (dignity); allowing them opportunities to present their side of the situation (voice); and expressing concern for the individual's well-being (trust). These behaviors seem very simple and perhaps obvious in terms of how police officers should treat all citizens. However, they may not be consistent with how officers are trained or how they have learned to manage the demands of the job. There also may be situations in which other, more forceful approaches are appropriate. The key challenges are to develop guidelines for officers to determine situations in which procedural justice behaviors should be applied (such as dealing with a mental health crisis or domes-

tic violence) and to provide opportunities for officers to learn and practice these skills.

This is not to suggest that procedural justice-based training should replace existing education and training to respond to persons with mental illness. Rather, it could supplement or be incorporated into existing academy, in-service, and roll-call training. Both the recent changes in the certification criteria of the Commission on Accreditation for Law Enforcement Agencies, Inc., that require ongoing training in mental health issues for officers and the growing interest in the

*The
procedural
justice theory
implies that if police
and other authority
figures treat people with
mental illness with decency
and respect, they will
be more likely to
cooperate instead
of resist.*

law enforcement community to effectively respond to persons with mental illness create an opportunity to reevaluate and improve training.

Although not generally written about in theoretical terms, the crisis intervention team model clearly incorporates elements that are conducive to individuals' being treated in a procedurally just manner. Crisis intervention team procedures involve specialized training and an organizational change in orientation to managing calls involving persons

with mental illness (44). In departments adopting crisis intervention team models, handling these calls well becomes a valued function of the department. This orientation communicates to all officers (not just officers on a crisis intervention team) that persons with mental illness are respected members of the community and should be treated as such. Officers undergo crisis intervention team training and become crisis intervention team officers on a voluntary basis. Because officers self-select into the crisis intervention team role, they may be more highly motivated than the typical officer to respond in a manner that increases cooperation and reduces conflict. When a call for service is identified as a mental health call, a crisis intervention team officer is dispatched and once on the scene is the designated officer in charge, regardless of the rank of other officers present. In these situations, the lead officer is not only someone with specialized training in skills consistent with procedurally just treatment but also an officer who has genuine concern for the well-being of the person with mental illness (44) and departmental support for managing the call in a respectful and appropriate manner. Approaching an individual with mental illness with respect and genuine concern and communicating effectively (giving voice) can affirm the person's status as a valued citizen and provide a safe context for cooperation.

Jurisdictions that have implemented crisis intervention team programs report reductions in officer and citizen injuries (20) and fewer police shootings of persons with mental illness (45). As advocates have noted, one key element is that people with mental illness are now being treated with respect by the police (45). Perhaps this change in orientation to persons with mental illness has contributed to better cooperation and the reductions in injuries.

Research testing the group engagement model in the context of encounters between police and persons with mental illness may provide extremely valuable information for identifying key elements and behaviors of effective response and improving officers'

skills for managing these contacts. However, it would be unwise to proceed without first incorporating the perspectives of persons with mental illness who have experienced various types of encounters with police officers. We are currently conducting qualitative work to examine the role of procedural justice elements in the accounts of police encounters by persons with mental illness who are currently in outpatient treatment. Our preliminary findings suggest that previous negative experiences (such as feeling singled out on the basis of race or apparent homelessness) lead people with mental illness to hold low expectations of their encounters with the police, but these individuals also differentiate encounters in terms of the degree of fairness and respectful treatment exhibited by officers.

For example, one informant related that his most recent encounter with the police had resulted from an acknowledged misdemeanor theft. Despite the outcome (arrest), his perception that the officer had treated him respectfully colored his evaluation of the entire incident. As he stated, "I got busted, . . . [but] the officer that arrested me, he was actually very kind. . . . He treated me like a human. He offered me a cigarette. . . . Normally, they rough me up, you know, they have the cuffs too tight. They talk to me like, very degrading, but this officer was very kind. . . . He just handcuffed me, told me to turn around, . . . and took me down to the precinct." Another participant who related his most positive experience with an officer told of an encounter in which he had passed out while driving. In that situation, the officer responded by expressing concern for his well-being when it became apparent that he had consumed alcohol while taking psychotropic medication. Although the officer arrested him for driving under the influence, he also arranged for release on his own recognizance rather than going to bond court.

Further analysis of data on a range of firsthand experiences will allow us to delineate specific behaviors that contribute to short- and long-term cooperation with law enforcement and other systems (including mental

health). The inquiry will also allow us to move beyond seemingly important yet procedurally ambiguous prescriptions of "respectful treatment," through the identification of behavioral components of successful interactions. In subsequent work, we will elaborate on and test methods for enhancing officers' skills for managing contacts with persons with mental illness and promoting engagement and cooperation.

Conclusions

Practice guidelines based on a procedural justice framework are deceptively simple. That is, the theory implies that if police and other authority figures treat people with mental illness with decency and respect, they will be more likely to cooperate instead of resist. The group engagement model of procedural justice (22) provides an explanation for this phenomenon, conditions in which persons will be most attentive to how they are treated, and specific aspects of treatment by an authority that influence identity judgments and subsequent cooperation. The evidence presented here suggests that this is a particularly useful framework for understanding how police officers' responses to persons with mental illness influence the amount of cooperation they receive in the moment, and perhaps beyond the immediate encounter. Emerging models of police response to persons with mental illness have incorporated principles consistent with procedural justice theory and have reported some successes. Applying theory to these efforts will allow us to further identify key elements of effective response to persons with mental illness that can be applied alone or as part of full crisis intervention team programs. Theory will also guide research on these interventions, allowing us to determine the effectiveness among different individuals and in varied organizational and community contexts.

It is important to underscore, however, the caveat that overemphasizing procedural justice concerns (importance of fair process over substantive outcome) could, if unchecked, lead to substantively unjust outcomes' being obscured by seemingly fair proce-

dures. Absent genuine concern, procedural justice techniques are simply a form of manipulation in the moment, which may backfire on officers in subsequent contacts with the individuals. This possibility may be less of a concern among crisis intervention team officers who self-select the role, presumably because they genuinely care about persons with mental illness. However, it may be a legitimate concern in expanding procedural justice training to the whole of law enforcement. Therefore, in training police officers to work with people with mental illness the training must convey the importance of substantively fair treatment, not simply the appearance of fair treatment.

Acknowledgments and disclosures

The work described in this article was funded by grant MH-075786 from the National Institute of Mental Health to Dr. Watson. The authors thank John Monahan, Ph.D., Jeffrey Draine, Ph.D., and Melissa Schaefer Morabito, Ph.D., for useful feedback.

The authors report no competing interests.

References

1. Gilboy J, Schmidt J: "Voluntary" hospitalization of the mentally ill. *Northwestern University Law Review* 66:429-453, 1971
2. Deane MW, Steadman HJ, Borum R, et al: Emerging partnerships between mental health and law enforcement. *Psychiatric Services* 50:99-101, 1999
3. Lamb HR, Weinberger LE, DeCuir JWJ: The police and mental health. *Psychiatric Services* 53:1266-1271, 2002
4. National Council of State Governments: Criminal Justice Mental Health Consensus Project. Available at <http://consensusproject.org>
5. McCluskey JD: *Police Requests for Compliance: Coercive and Procedurally Just Tactics*. New York, LFB Scholarly Publishing, 2003
6. Rutz J, Miller C: An exploratory study of Pennsylvania police officers' perceptions of dangerousness and their ability to manage persons with mental illness. *Police Quarterly* 7:359-371, 2004
7. Borum R, Deane MW, Steadman HJ, et al: Police perspectives on responding to mentally ill people in crisis: perceptions of program effectiveness. *Behavioral Sciences and the Law* 16:393-405, 1998
8. Cooper VG, McLearn AM, Zapf PA: Dispositional decisions with the mentally ill: police perceptions and characteristics. *Police Quarterly* 7:295-310, 2004
9. Council of State Governments: Essential Elements of a Specialized Police-based Program. Available at <http://consensusproject.org>

- ject.org/lawenforcement/ee. Accessed Oct 22, 2005
10. Poynthress N, Pettila J, McGaha A, et al: Perceived coercion and procedural justice in the Broward mental health court. *International Journal of Law and Psychiatry* 25:517-533, 2002
 11. Green TM: Police as frontline mental health workers: the decision to arrest or refer to mental health agencies. *International Journal of Law and Psychiatry* 20:469-486, 1997
 12. Teplin LA: The criminalization of the mentally ill: speculation in search of data. *Psychological Bulletin* 94:54-67, 1983
 13. Watson AC, Corrigan PW, Ottati V: Police officer attitudes and decisions regarding persons with mental illness. *Psychiatric Services* 55:49-53, 2004
 14. Bolton MJ: The Influence of individual characteristics of police officers and police organizations on perceptions of persons with mental illness. Unpublished doctoral dissertation, Virginia Commonwealth University, Public Policy and Administration, 2000
 15. Renland M: A Guide to Implementing Police-based Diversion Programs for People With Mental Illness. Delmar, NY, GAINS Technical Assistance and Policy Analysis Center for Jail Diversion, 2004
 16. Stetser M: The Use of Force in Police Control of Violence: Incidents Resulting in Assaults on Officers. New York, LFB Scholarly Publishing, 2001
 17. Kaminski RJ, DiGiovanni C, Downs R: The use of force between the police and persons with impaired judgment. *Police Quarterly* 7:311-338, 2004
 18. Margarita MC: Criminal violence against police. Unpublished doctoral dissertation, State University of New York at Albany, Department of Criminology, 1980
 19. Steadman H, Deane M, Borum R, et al: Comparing outcomes for major models of police responses to mental health emergencies. *Psychiatric Services* 51:645-649, 2000
 20. Renland M, Cheney J: Enhancing Success of Police-based Diversion Programs for People With Mental Illness. Delmar, NY: GAINS Technical Assistance and Policy Analysis Center for Jail Diversion, 2005
 21. Lind EA, Tyler TR: Procedural justice in organizations. In *The Social Psychology of Procedural Justice*. New York, Plenum, 1992
 22. Tyler TR, Blader SL: The group engagement model: procedural justice, social identity and cooperative behavior. *Personality and Social Psychology Review* 7:349-361, 2003
 23. Tyler TR: Enhancing police legitimacy. *Annals of the American Academy of Political and Social Sciences* 593:84-98, 2004
 24. Sunshine J, Tyler T: The role of procedural justice and legitimacy in shaping public support for policing. *Law and Society Review* 37:513-547, 2003
 25. Tyler TR, Huo YJ: Trust in the Law: Encouraging Public Cooperation With Police and Courts. New York, Russell Sage Foundation, 2002
 26. Paternoster R, Brant R, Baclman R, et al: Do fair procedures matter? The effect of procedural justice on spouse assault. *Law and Society Review* 31:163-204, 1997
 27. Mastrofski SD, Snipes JB, Supina AE: Compliance on demand: the public's response to specific police requests. *Journal of Research in Crime and Delinquency* 33:269-305, 1996
 28. McCluskey JD, Mastrofski SD, Parks RB: To acquiesce or rebel: predicting citizen compliance with police requests. *Police Quarterly* 2:389-416, 1999
 29. Tyler TR: The psychological consequences of judicial procedures: implications for civil commitment hearings. *Southern Methodist University Law Review* 46:401-413, 1992
 30. Sydeman SJ, Cascardi MA, Poynthress NG, et al: Procedural justice in the context of civil commitment: a critique of Tyler's analysis. *Psychology, Public Policy, and Law* 3:207-221, 1997
 31. Greer A, O'Regan M, Traverso A: Therapeutic jurisprudence and patients' perceptions of procedural due process of civil commitment hearings. In *Law in a Therapeutic Key*. Edited by Wexler DB, Whick BJ. Durham, NC, Carolina Academic Press, 1996
 32. Cascardi MA, Poynthress NG, Hull A: Procedural justice in the context of civil commitment: an analogue study. *Behavioral Sciences and the Law* 18:731-740, 2000
 33. McKenna BG, Simpson AJP, Coverdale JH: Outpatient commitment and coercion in New Zealand: a matched comparison study. *International Journal of Law and Psychiatry* 29:145-158, 2005
 34. Hoge SK, Lidz CW, Mulvey EE, et al: Patient, family, and staff perceptions of coercion in mental hospital admission: an exploratory study. *Behavioral Sciences and the Law* 3:281-294, 1993
 35. Gardner W, Hoge S, Bennett N, et al: Two scales for measuring patients' performance: perceptions of coercion during hospital admission. *Behavioral Sciences and the Law* 20:307-321, 1993
 36. Lidz C, Hoge S, Gardner W, et al: Perceived coercion in mental hospital admission. *Archives of General Psychiatry* 52:1034-1040, 1995
 37. Monahan J, Hoge S, Lidz C, et al: Coercion and commitment: understanding involuntary mental hospital admission. *International Journal of Law and Psychiatry* 18:249-263, 1995
 38. Cascardi MA, Poynthress NG: Correlates of perceived coercion during psychiatric hospital admission. *International Journal of Law and Psychiatry* 24:445-458, 1997
 39. Cascardi MA, Poynthress NG, Ritterband LM: Stability of psychiatric patients' perceptions of their hospital admission experience. *Journal of Clinical Psychology* 53:1-7, 1997
 40. Elbogen EB, Soriano C, VanDorn R, et al: Consumer views of representative payee use of disability funds to leverage treatment adherence. *Psychiatric Services* 56:45-49, 2005
 41. Swanson JW, Swartz MS, Elbogen EB, et al: Effects of involuntary outpatient commitment on subjective quality of life in persons with severe mental illness. *Behavioral Sciences and the Law* 21:473-491, 2003
 42. Swartz MS, Swanson JW, Monahan J: Encroachment of personal benefit of outpatient commitment among persons with severe mental illness. *Psychology, Public Policy, and Law* 9:70-93, 2003
 43. Takeschi JT, Felson RB: *Violence, Aggression, and Coercive Actions*. Washington, DC, American Psychological Association, 1994
 44. Haik J, Borum R: Police training and specialized approaches to respond to people with mental illnesses. *Crime and Delinquency* 49:52-61, 2003
 45. Bower DL, Pettit WC: The Albuquerque Police Department's Crisis Intervention Team: a report card. *FBI Law Enforcement Bulletin* 70(12):1, 2001



In-service Training Guide



STATE OF NEW YORK
Division of Criminal Justice Services
Office of Public Safety

Copyright Notice

Copyright ©2005, 2011, 2012, 2013 by the New York State Division of Criminal Justice Services. This publication may be reproduced without the express written permission of the New York State Division of Criminal Justice Services provided that this copyright notice appears on all copies or segments of the publication.

The 2013 edition is published by the
New York State Division of Criminal Justice Services
Office of Public Safety
80 South Swan Street, 3rd Floor
Albany, New York 12210

VERSION Sep 2013

PRINTED IN THE UNITED STATES OF AMERICA

Foreword

The In-service Training Guide was developed by the staff of the New York State Division of Criminal Justice Services, Office of Public Safety. This guide is intended to explain the administration of in-service courses, including peace officer annual training.

This guide will define regulations that govern Municipal Police Training Council approval for in-service courses, including the requirements for conducting and reporting training, as well as the responsibilities of the various parties involved.

Preface

It is the goal of the Division of Criminal Justice Services, Office of Public Safety to assist course directors in the administration of law enforcement training in a manner consistent with New York law, regulation and policy.

This guide is designed to provide the information necessary for each course to be administered in a manner that will provide a level of training required to adequately perform public safety functions.

ACKNOWLEDGMENTS

Acknowledging the efforts of people involved in the development of this guide.

**Michael K. Miller, Associate Training Technician (Police)
New York State Division of Criminal Justice Services**

**David J. Mahany, Senior Training Technician (Police)
New York State Division of Criminal Justice Services**

Table of Contents

Introduction	1
The Municipal Police Training Council	1
The Division of Criminal Justice Services	1
Establishing a School.....	2
School Director Selection.....	2
Instructor Selection	3
Training Facilities	4
In-service Training Courses	5
Course Planning	5
Student Entrance Requirements	6
Attendance	6
Examinations.....	7
Remediation	7
Course Documentation	7
Curriculum	7
Approval	8
Class Roster/Notification of Completion	8
Certificates of Completion	8
Forms.....	9
Questions.....	9

Introduction

In-service training programs for law enforcement personnel and their civilian partners is a key element in increasing the effectiveness and efficiency of law enforcement and public safety organizations. In-service programs are intended to promote continued instruction and study in the attitudes, knowledge, skills and procedures involved in carrying out the duties and responsibilities of law enforcement work above and beyond the fundamentals covered in basic training programs.

This guide is designed to facilitate training professionals who would like to conduct in-service training courses which will be recorded by the state.

With the exception of the Course in Police Supervision¹ and peace officer annual firearms and other weapons courses, there is no mandate for police officers or peace officers to complete in-service training as a condition of continued employment.

The Municipal Police Training Council

The Municipal Police Training Council (MPTC), created under Executive Law §839, determines minimally acceptable training and employment standards for law enforcement officers in New York State. The MPTC recommends rules and regulations for promulgation by the Governor. Once implemented, these rules and regulations carry the force of law.

The Division of Criminal Justice Services

The New York State Division of Criminal Justice (DCJS), Office of Public Safety, serves as the staff arm of the MPTC. It is the responsibility of DCJS to assist in the planning and evaluation of basic and in-service training courses and to ensure that practitioners meet the minimum standards established by the MPTC.

¹ A police officer promoted to a first-line supervisory position must complete an approved course in police supervision within twelve months of the date of promotion. A first-line supervisory position is defined as the position or rank of a police officer next above the beginning rank of patrolman or the rank equivalent to patrolman, which requires performance of supervisory duties. It does not include persons appointed to command ranks where a first-line supervisory position exists

It is the goal of DCJS to assist practitioners in providing quality training for law enforcement personnel. Training directors and/or officers are encouraged to review this guide and ask questions. DCJS will make every effort to help practitioners understand and deliver a quality product that meets, or exceeds, the standards established by the MPTC.

Establishing a School

A police in-service course may be established by a police or peace officer employer or by a regional law enforcement academy. All approvals are at the discretion of DCJS and are governed by the rules established for the Basic Course for Police Officers codified in Title 9 of the *Official Compilation of Codes, Rules, and Regulations of the State of New York*, Part 6022 (9 NYCRR 6022).

Employers may utilize a third party to deliver training; however, for the purposes of recording training with DCJS, only a police or peace officer employer or regional training academy may sponsor training. All documentation shall reflect the name and address of the sponsoring agency.

School Director Selection

Each school must appoint a school director. The school director serves as the administrator of the course and is responsible for a variety of important tasks that will be explained in this guide. It is preferable for the school director to be a certified MPTC instructor and possess a high level of administrative skill and the ability to work with a diverse student population. All contact with the school is conducted through the director.

The school director is expected to be an administrator who is available to students, instructors, and DCJS staff during school operational hours. Students and instructors should direct all questions or inquiries through the school director. Accordingly, the director must have the level of authority equal to this responsibility.

Instructor Selection

All instructors must meet the Standards and Qualifications established by 9 NYCRR 6023 for certification. There are two categories of instructor for MPTC approved courses, certified and approved. *Certified* instructors have completed an Instructor Development Course approved by the MPTC. Instructors in this category may instruct general topics and may possess, or are eligible to obtain, advanced certification in specialty topics such as firearms and/or defensive tactics. This is the most common method of instructor certification.

The regulation also provides for Special Certification of instructors, or waiver of the Instructor Development Course, when an applicant can demonstrate technical expertise and has advanced academic credentials or a unique qualifying experience. The applicant must also be evaluated in the classroom and found to have acceptable instructional skills. Applicants who have earned a Bachelor's Degree in Education (or equivalent), a Master's Degree, a Juris Doctorate (JD), or other doctorate (PhD) are deemed to have advanced academic credentials. All waivers are issued at the discretion of DCJS.

Approved, or Non-certified Special Topics Instructors, possess advanced academic credentials and a unique qualifying experience. Instructors in this category have not attended an Instructor Development Course and may instruct topics for which they are uniquely qualified only. They are not eligible to obtain advanced certification in specialty topics, such as firearms or defensive tactics without first successfully completing an approved Instructor Development Course. Applicants must be evaluated in the classroom and found to have acceptable instructional skills. For example, a social worker who specializes in domestic violence cases may be approved to provide domestic violence instruction.

To become an approved instructor, a candidate must submit an Instructor Personal History Form accompanied by an acceptable Instructor Evaluation, performed by an MPTC certified Instructor Evaluator, to DCJS for consideration. All approvals are

issued at the discretion of DCJS. A copy of the Instructor Personal History Form is available on our website at: <http://www.criminaljustice.ny.gov/ops/docs/index.htm>.

DCJS maintains a list of specialty topics that require instructors to complete an advanced course of study in order to receive certification. For example, in order to provide instruction speed measurement devices, an instructor must have completed an Instructor Development Course pursuant to 9 NYCRR 6023 and successfully completed an MPTC approved Radar Lidar Instructor course.

All instructors shall be responsible for disseminating the information in the modules assigned them according to the standards established by the MPTC. Instructors may be called upon to provide documentation of their status and DCJS may require any additional information to establish the competence of an instructor or for any other pertinent purpose.

Training Facilities

Classrooms, like those used in any other training venue are sufficient for this program. The classrooms should meet the standards established by the Commissioner of Education for instructional resources set forth in section 52.2 of Title 8 of the *Official Compilation of Codes, Rules and Regulations of the State of New York* (8 NYCRR 52.2)

Firearms range (if conducted) training must be conducted at an appropriate firearms training facility that will support the shooting skills detailed in the Basic Course for Police Officers.

Driver training facilities (if such training is provided) must be conducted in an area that will support the driving skills detailed in the Basic Course for Police Officers.

Physical fitness training facilities (if such training is provided) must meet the standards established by the Commissioner of Education for instructional resources set forth in 8 NYCRR 52.2.

In-service Training Courses

General Municipal Law §209-q and 9 NYCRR 6021 require all first-line police supervisors to satisfactorily complete an MPTC approved Course in Police Supervision within one-year of appointment as a first-line supervisor. Likewise, Criminal Procedure Law §2.30 requires all peace officers armed by their employer during the performance of their official duties to satisfactorily complete MPTC approved Annual Firearms Course and/or Annual Other Weapons Courses each year.

Outside of these two specific requirements, there is no mandate for police officers or peace officers to complete in-service training as a condition of continued employment.

Course Planning

All in-service training programs reported to DCJS must meet the requirements for the administration of in-service training courses and the rules governing attendance/completion of such courses as established in 9 NYCRR 6022. There are two categories of in-service training programs, those which the MPTC has established minimum standards and will issue certification, and those for which it has researched but not yet established a standard. In instances where the MPTC has established minimum standards, the course must contain the topics, hours, and instructor qualifications in order to receive certification. Approval may be issued by DCJS on behalf of the MPTC.

In instances where the MPTC has not yet established minimum standards, the course may be reviewed for content against generally accepted standards and non-certified approval may be granted at the discretion of DCJS. These are referred to as *Miscellaneous In-service Courses* and typically address the most current methods, practices, or specific skill sets. As the MPTC is the only body authorized to establish statewide instructor standards, DCJS is unable to approve instructor courses in topic areas where the MPTC has yet to do so.

Schools must establish written policies and procedures for the administration of this training. Policy areas must, at minimum, include: attendance, remediation, and retesting.

Pursuant to 9 NYCRR 6022, training must be conducted as a single and cohesive unit. In practical terms, this means that a student must complete all units of an in-service course during one session, at one school. Under no circumstances may a student split the training among multiple schools.

It is the school director's responsibility to ensure each instructor is provided with a complete copy of the unit they are assigned to teach.

School directors do not have the authority to disregard or waive any policy, procedure, rule, or regulation established by either the MPTC or by DCJS. Violations may result in revocation of school approval and render any training provided invalid.

The DCJS Office of Public Safety is available to provide any technical assistance required by the school director. Students and instructors should direct all questions or inquiries through the school director.

Student Entrance Requirements

If the student is a police or peace officer, they must be employed at such time of attendance or if they are a civilian be authorized to attend such in-service training by their law enforcement employer or a [DCJS] recognized law enforcement partner

Attendance

Students shall attend all sessions of a course. The school director is responsible for maintaining an accurate record of attendance, and may excuse an officer for valid reasons. The school director shall determine the validity of the excuse and may excuse absences of no more than ten percent of the required hours. Any absence from a scheduled session shall be made up as required by the school director.

Examinations

Examinations are required for all MPTC approved in-service courses, though not necessarily for those approved by DCJS. When an examination is administered as a course requirement, the passing of a written examination, or series thereof, is required. Students must achieve a minimum passing score of 70% on the examination, or series of examinations, in order to complete the course. If a series of examinations is administered, the average score must be 70%. If a series of examinations for mandated topics and agency specific topics are employed, the portion of the course prescribed by the MPTC shall constitute no less than 50% of the final grade. No partial credit may be given.

Remediation

The course director may remediate any students who have failed to meet the minimum passing requirements for any course, if in the course director's judgment, it is reasonable to believe the student will show improvement with additional training. All remediation must occur within the original time frame of the course. It is suggested that course directors consider extra time during, and at the end of, courses such as initial firearms training to allow for potential remediation. For example, schedule three weeks (120 hours) for the 80-hour Instructor Development Course thus providing additional time to remediate candidates that are likely to improve with continued practice.

Course Documentation

Curriculum

Pursuant to 9 NYCRR 6022.5(a), a course director proposing a course shall file with DCJS, at least 45 days in advance of the designation of the school a curriculum content form containing the MPTC approved course title, the location of the school, a chronological listing of the dates times and instructors for each module, and shall include all subjects prescribed by the MPTC. A school must receive DCJS approval to be offered.

Approval

Once a curriculum is received, DCJS will make written notification to the course director upon approval of a curriculum. It is recommended that course directors maintain a copy of the approval letter in the course file. Courses must be approved to be certified by the MPTC or by DCJS.

Class Roster/Notification of Completion

Once a course has been completed, the course director has ten (10) days in which to submit a Class Roster/Notification of Completion to the Division. This form must be typed and contain all required information, including the approved course title (as it appears on the approval letter), the school sponsor (must be a law enforcement agency or academy), the school location, school dates, student information (name, social security number, sex, date of birth, employer, rank, status (full-time/part-time) and whether or not each student satisfactorily completed the course (S) or unsatisfactorily completed the course (U). A Class Roster/Notification of Completion is not valid unless it bears the course directors original signature.

In order to maintain accurate records, incomplete or inaccurate forms will be returned to the course director for completion/correction, thus delaying the posting of records and the dissemination of certificates (if appropriate). A copy of this form is available on our website at <http://www.criminaljustice.ny.gov/ops/docs/index.htm> or by contacting our office at (518) 457-4135.

Certificates of Completion

There are two types of certificates issued for in-service courses; a certificate of completion issued by the MPTC, and a certificate of attendance from DCJS.

If minimum standards for an in-service course have been established by the MPTC, upon certification by a director stating that a candidate has satisfactorily completed all course requirements and any pre-requisite training as determined by the MPTC, DCJS may issue a certificate of completion on behalf of the MPTC.

If minimum standards for an in-service training course have not been established by the MPTC, upon certification by a director that a candidate has satisfactorily completed all course requirements and any pre-requisite training as determined by DCJS, DCJS may issue a certificate of attendance.

Civilian Students

Certificates may be issued to civilians (non-sworn personnel) that are employed or that work in conjunction with law enforcement agencies or academies. A letter from the law enforcement employer or partner approving the civilian for training must accompany the Class Roster/Notification of Completion. This includes members of law enforcement agencies outside of New York State to include the federal government. In instances where the MPTC has not established a standard for an in-service course, DCJS does not maintain records of attendance, however will issue the certificate.

Each course completed by a peace or police officer and reported to DCJS is posted to that officer's official training record; however, in order to merit a certificate, the course must be greater than eight hours in duration. For example, the *Instructor Development Course* (80 required hours) merits a certificate, yet the *Instructor Evaluator Workshop* (4 required hours) does not.

Forms

For copies of the most current versions of our forms or publications, please visit our website at: <http://www.criminaljustice.ny.gov/ops/docs/index.htm> or by contacting our office at (518) 457-2667

Questions

If, after reviewing this guide, course directors or instructors have any questions or concerns, please contact the Division prior to commencing any training.

**NYS Division of Criminal Justice Services
Office of Public Safety
80 South Swan Street, 3rd Floor
Albany, NY 12210
www.criminaljustice.ny.gov**